

SHAKESPEARE  
AND THE  
STATIONERS



# SHAKESPEARE AND THE STATIONERS

*By*

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**FOR**  
**SIR WALTER GREG**



## PREFACE

This book has been in press a rather long time, but the objective of careful printing must excuse its delay. The bulk of it was composed while I was an Elizabeth Clay Howald Fellow for 1944-45 at The Ohio State University. It was revised in 1947, after acceptance for publication. In *Corrections and Additional Notes* at the end of the volume, I have taken account of the scholarship of the last seven years.

Although my notes acknowledge my particular obligations to the many scholars whose work I have utilized, I wish also to record here special debts. Obviously, I owe the most to the great pioneering labors of A. W. Pollard, R. B. McKerrow, and Sir Walter Greg. I have employed, in an extremely thorough fashion, particular studies by E. E. Willoughby and R. C. Bald. F. P. Wilson and W. A. Jackson have kindly answered queries that were important to me, and D. G. Stillman has given me permission to quote from his unpublished doctoral dissertation. I have no way but this insufficient one of thanking M. A. Shaaber and R. C. Stewart, who read the galley proof and page proof, respectively. And how am I to thank H. T. Price for his sustaining encouragement over many, many years? The reading of my manuscript and the resulting suggestions by R. M. Estrich, F. L. Utley, H. R. Walley, J. H. Wilson, William Charvat, and Miss Ruth Hughey of the Department of English of The Ohio State University have been most helpful. To James F. Fullington, Dean of the College of Arts and Sciences, and N. Paul Hudson, Dean of the Graduate School, I express my deepest gratitude for making this book possible.

I have used the facilities of many libraries, but chiefly the University of Michigan Library, The Ohio State University Library, the Henry E. Huntington Library, and the British Museum. To Miss Ella M. Hymans of the first I am especially indebted. I am most grateful to Miss Velma Carter, who saw the following pages through the press, for her constant perspicuity and patience.

In text and notes I employ standard abbreviations, but some new coinages are indicated in the *Selected Bibliography*. Because I have used Arber's *Transcript* so frequently, I have in my text merely referred to it by volume and page number. I am aware that Greg's transcriptions of the entries in *A Bibliography of the English Printed Drama to the Restoration* are less fussy and more accurate than Arber's, but my use of two different printed versions of the same registers, one dealing only with drama, the other dealing with drama and all other publications, would have led to confusion. Besides, in this book I am not so much concerned with printing primary documents as interpreting them. Hence, I have sometimes silently expanded contractions, and I have invariably brought superior letters down to the line.

L. K.

Detroit  
August 15, 1954



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SHAKESPEARE  
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## CHAPTER ONE

### THE PROBLEM OF THE STOLEN SHAKESPEARE QUARTOS

In their advertisement, "To the great Variety of Readers," signed Iohn Heminge and Henrie Condell, in the first collected edition of Shakespeare's plays (1623), Shakespeare's fellows wrote:

It had bene a thing, we confesse, worthie to haue bene wished, that the Author himselfe had liu'd to haue set forth, and ouerseen his owne writings; But since it hath bin ordain'd otherwise, and he by death departed from that right, we pray you do not envie his Friends, the office of their care, and paine, to haue collected & publish'd them; and so to haue publish'd them, as where (before) you were abus'd with diuerse stolne, and surreptitious copies, maimed, and deformed by the frauds and stealthes of iniurious impostors, that expos'd them: euen those, are now offer'd to your view cur'd, and perfect of their limbes; and all the rest, absolute in their numbers, as he conceiued them.

It is around the exact meaning of this statement as it applies to the plays which had been individually published before the First Folio that this book is written. No matter how far it may appear at times to wander from this center, the purpose of the present study is the explanation of Heminge and Condell's words.

Present-day research has discovered that nine of Shakespeare's plays were initially published in maimed and deformed versions which must have been printed without the author's or the actors' permission. Such extremely corrupt texts have been named "bad quartos," in contradistinction to the so-called "good quartos" which represented the plays more or less as Shakespeare wrote them. The Shakespeare bad quartos with the date of their first publication are *II Henry VI* (*The First part of the Contention*), 1594; *III Henry VI* (*The true Tragedie of Richard Duke of Yorke*), 1595; *Richard III*, 1597; *Romeo and Juliet*, 1597; *Henry V*, 1600; *The Merry Wives of Windsor*, 1602; *Hamlet*, 1603; *King Lear*, 1608; and *Pericles*, 1609. A bad version of the "Parliament Sceane" (IV.i. 154-318), which had hitherto been omitted, appeared in Q 4 (1608) of *Richard II*. (There are some grounds for believing that a no longer extant bad quarto of *Love's Labor's Lost* preceded the good quarto of 1598.) Good quartos of *Romeo and Juliet* and *Hamlet* appeared to replace the bad texts in 1599 and 1604 respectively. The other Shakespeare bad quartos, with

the exception of *Pericles*, were supplanted by good texts for the first time in the 1623 folio. A good version of *Pericles* never appeared.

Bad quartos of non-Shakespeare plays also appeared in this period: *Fair Em* (1593 ?); Peele's *Edward I*, 1593; Greene's *Orlando Furioso*, 1594; *The True Tragedy of Richard III*, 1594; *A Knack to Know an Honest Man*, 1598; *The Famous Victories of Henry V*, 1598; *George a Greene*, 1599; Marlowe's *The Massacre at Paris* (1599 ?); Marlowe's *Doctor Faustus*, 1604; *The Fair Maid of Bristow*, 1605; Heywood's *If You Know Not Me, You Know Nobody*, Part I, 1605; Dekker, Chettle, Smith, and Webster's *Sir Thomas Wyatt*, 1607; Beaumont and Fletcher's *Philaster*, 1620. Good quartos of *Doctor Faustus* and *Philaster* replaced the bad texts in 1616 and 1622 respectively. The other non-Shakespeare bad quartos were never followed by good texts.<sup>1</sup>

Thus, in all, twenty-two bad quartos of plays by Shakespeare and others appeared before 1623. There may have been more which are no longer extant, and there may be more which have not as yet been discovered among the extant printed plays. I have put in this category, after careful examination, only those texts which are demonstrably extreme perversions of the plays they purport to represent. The easiest way to distinguish between a bad text and a good text of an Elizabethan play is to show that the good text must ultimately go back directly or by manuscript transmission (i.e., copying by a scribe) to the author's original. I have not included in the category of bad quartos listed above: (a) texts which some scholars with not sufficient proof have claimed to be bad (e.g., *The Taming of a Shrew*), (b) texts that are somewhat corrupt (e.g., *The Merry Devil of Edmonton*), (c) texts that were later succeeded by better but mildly variant versions (e.g., Q 1 and Q 2 of *The Maid's Tragedy*), and (d) texts which are apparently sound but were surreptitiously published (e.g., *A King and No King*).

Of the thirty-six plays that appeared in the Shakespeare First Folio, eighteen had already made an appearance in one form or other. Good quartos of *Romeo and Juliet*, *Hamlet*, and, possibly, *Love's Labor's Lost* had already replaced bad quartos. The 1623 collection for the first time furnished good texts of six plays (II HVI, III HVI, RIII, M W of W, HV, and KL). The good quartos of *Troilus and Cressida* and *Othello* were printed from

private transcripts; the First Folio printed somewhat variant texts of these plays. The folio printed for the first time a correct version of the so-called "Parliament Scean" in *Richard II*, which had hitherto appeared in a maimed and deformed report. (The conclusions as to text in the above sentences in this paragraph are based on W. W. Greg, *The Editorial Problem in Shakespeare*, Oxford, 1942.) Thus, for fifteen plays that had already appeared, the First Folio supplied new and sound texts for six plays that heretofore had been represented by maimed and deformed versions; supplied variant texts for two more plays that had appeared previously in stolen and surreptitious quartos (presumably, plays printed from private transcripts were printed without the players' permission); and supplied a correct text for a maimed and deformed passage in another play. The 1623 folio, therefore, provided for the first time good or improved or authorized texts for nine plays which had already been published.

In the light of this enumeration, Heminge and Condell's words seem clear. We should not blame them for not having made an exact table for future scholars. After all, they were writing an advertisement. And as advertisement, their remarks seem remarkably honest—for the seventeenth century. If it should appear later in this book that of six good quartos not considered in this enumeration (e.g., *Titus Andronicus*, which appeared in the First Folio in augmented form), one or more might also have been stolen and surreptitious, Heminge and Condell's words will seem even more remarkably honest. We must never forget that behind the players' statement lay the appearance of ten (if we include *LLL*) maimed and deformed texts on the bookstalls.

Controversy has swirled around what Heminge and Condell meant. The purpose of the present book is not editorial, though textual matters necessarily intrude at times. Its purpose is to show the background of Heminge and Condell's words in terms of the publication conditions of the period. A short review of the major scholarship on the publication of the Shakespeare quartos will prepare the reader for the material to be found in the following pages.<sup>2</sup>

In his Introduction to the Clarendon facsimile of the First Folio (1902), Sir Sidney Lee wrote:

The [Elizabethan] theatrical manager viewed the publication of plays as injurious to his interests, and until a play had wholly exhausted

its popularity on the the stage, he deprecated its appearance in print. But however indifferent the Elizabethan dramatist was to the reading public, and however pronounced were the manager's objections to the publication of plays, there developed among playgoers and others at the close of the sixteenth century a wish to peruse in private dramas that had achieved success in the theatre. Publishers quickly sought to gratify this desire for their own ends. In the absence of any statutory prohibition, they freely enjoyed the right of publishing any MS., whatever might be the channel through which it reached their hands, provided that they purchased a licence for its publication of the Stationers' Company. At times failure on the part of the author to keep his MSS. in safe custody, at times the venality of an amanuensis, rendered MS. literature accessible to the publisher without the author's personal intervention. In such circumstances it was not the publisher's habit to consult an author about the publication of his work, and in the case of plays it was the rule rather than the exception for the MS. to reach the publishers through other hands than those of the dramatist. The publisher was, moreover, wont to ignore the claim to ownership in a play that was set up by the theatrical manager who had bought it of the writer. The wrong done the dramatic author passed unrecognized for nearly a hundred years, nor in Shakespeare's day was any endeavour made to protect the manager's interest. But the encroachments of the publishers on the manager's title were so manifestly inequitable that early in the seventeenth century—before 1630—the Lord Chamberlain, the public official who controlled the theatres, strove to restrain the publisher's piratical practices. Such efforts, however, at first met with qualified success. The sole ethical principle, which the publisher in good repute was ready to acknowledge in practice, concerned his business relations with members of his own profession. The grant to him by the Stationers' Company, to which he belonged, of a licence to publish a literary composition gave him in his eyes an exclusive and perpetual right in the licensed publication, and he respected his neighbours' exclusive and perpetual rights to their licensed publications as fully as he defended his own. The Stationers' Company stoutly resisted any lawless endeavour on the part of one of its members to issue a work which had already been licensed to another. At the same time it was always prepared to sanction the transfer of a licence from one publisher to another by mutual arrangement. But no conscientious scruple deterred members of the Stationers' Company from defying the natural sentiment which would assign to the author some exercise of control over the public fortunes of the written product of his brain.

Under such circumstances extremely corrupt play texts came on the market. Lee recognized as reported texts the first quartos of

*Henry V*, *Merry Wives*, and *Hamlet*. "The greater number of the quarto editions of Shakespeare's plays which were published in his lifetime seem to have been printed from more or less imperfect and unauthorized playhouse transcripts which were obtained by publishers more or less dishonestly." The quartos of *Richard III*, *II Henry IV*, and Q 2 of *Hamlet* "present versions that were unsatisfactorily abridged." "The original impressions of 'Troilus,' 'Othello,' and 'Lear' abound in proofs of copyist's carelessness and printer's incapacity." The quarto texts of *Love's Labor's Lost*, *Much Ado*, *Midsummer Night's Dream*, *Merchant of Venice*, *Richard II*, *I Henry IV*, *Titus*, and Q 2 of *Romeo and Juliet* are better; "in these cases the authorized playhouse transcript or 'prompt-copy' may have been at the publisher's disposal, but none give absolutely convincing evidence at all points of complete authenticity."

Shakespeare cannot be credited with personal responsibility for the issue of any of the quarto editions of his plays. Like most of his fellow dramatists, he often saw bookstalls laden with unwarranted and corrupt versions of his work. The only redress open to him as to other authors was to supplant the piratical ventures by the production of authentic editions under his own auspices. But to such procedure the assent of the theatrical manager was necessary, and that assent was not readily forthcoming. It was also needful to conciliate and perhaps to compensate the piratical publisher, who was first in the field and had it in his power on an appeal to the Stationers' Company to prevent the substitution of a genuine version by a second publisher for his own corrupt but fully licensed property. It was, therefore, in rare instances that dramatists sought remedy for the injuries that publishers inflicted on their writings.

It will show the trend of this book to state that, except for an ambiguous use of "piratical" for "surreptitious" and an ambiguous use of "licence" both for "copyright" and "licence," I believe Lee's opinions that I have blocked in smaller print to be substantially correct. As to his textual opinions, we have learned much since his day. But Lee did suspect the quartos of *Lear*, *Othello*, and *Troilus*. He was not satisfied with the quarto of *Richard III*,<sup>8</sup> and he definitely stated his doubt concerning the playhouse provenance of all the undeformed quartos. But Lee's opinions on the publishing conditions of the time were not to prevail. A. W. Pollard's were.

In *Shakespeare Folios and Quartos* (London, 1909), Pollard set out to demolish the conclusions which Lee had advanced. In the Preface to this work, Pollard wrote:

He [Lee] has placed himself at the head of the bibliographical pessimists, and in the name of (I hope) a healthy and hardy optimism I find myself opposed to him at almost every point. The pessimists of whom Mr Lee has made himself the champion, seem to me to have piracy on the brain.

In Chapter I, "The Conditions of Publishing in Shakespeare's Day," Pollard pointed out that Heminge and Condell merely allude to "diuerse copies," not to *all* the quartos. Lee did not know of "any external criterion" by which present-day scholars could determine which texts were stolen and surreptitious and which came from the players. Dramatic "piracies," Pollard admitted, could and did occur in an age when "the rights of authors were very imperfectly protected." But Lee had said that a publisher could put to press any manuscript for the publication of which he had purchased a license from the Stationers' Company.

In another sentence we have the astounding assertion, for which I doubt strongly whether a shred of evidence can be produced, that before an unauthorized text could be superseded "it was needful to conciliate and perhaps to compensate the piratical publisher, who was first in the field and had it in his power on an appeal to the Stationers' Company to prevent the substitution of a genuine version by a second publisher for his own corrupt but fully licensed property."<sup>4</sup>

It is strange that while thus emphasizing, not quite accurately, the "purchase" of a licence and the "fully licensed property" thus acquired by the pirate, Mr. Lee should have omitted all reference to the twin facts which, surely, rule the situation (a) that a licence could not always be obtained, whether by payment or otherwise, and (b) that the plays which he himself singles out as the worst piracies were never licensed at all.

Lee was too vigorous in his condemnation of the members of the Stationers' Company.

It will suffice for our purpose to show that, if not honest, they were at least prudent, careful tradesmen, with a wholesome fear of colliding with authority, and that this fear gave authors and theatrical companies a good deal more real protection than a strictly logical view of the situation may seem to imply.

The players in the matter of "piracy" of their plays could always appeal to their patron, who could in turn appeal to the Privy Council. In Chapter III, Pollard made the famous distinction indicated in its title, "The Good and Bad Quartos." Pollard here presented his "external criterion" for determining whether a Shakespeare quarto was good and came from the players or whether it was bad and had been published surreptitiously. The maimed and deformed texts were either not entered in the Stationers' Register or were entered irregularly. The bad quartos of *Romeo and Juliet* and *Henry V* were printed without being entered. The bad text of *Merry Wives* was entered and transferred on the same day. The bad quartos of *Hamlet* and *Pericles* were not published by the man who had entered these plays in the Stationers' Register. All the other quartos, excluding *Love's Labor's Lost* which may have been preceded by a lost bad quarto, had "good" texts and were entered before they were published: *Titus Andronicus*, *Richard II*, *Richard III*, *I Henry IV*, *Merchant of Venice*, *Much Ado About Nothing*, *II Henry IV*, *Midsummer Night's Dream*, Q 2 of *Hamlet*, *King Lear*, *Troilus and Cressida*, and *Othello*.

Finding then, as we do, that quartos which have good texts and agree with the First Folio are entered regularly in the Stationers' Registers, and that quartos which have bad texts, not agreeing at all with the First Folio, are entered in the Stationers' Registers either irregularly or not at all, we are surely justified in arguing, by what used to be called in Logic the method of Agreement and Difference, that there is some causal relation at work which connects a good text with regular entry prior to publication in the Stationers' Register. Such a causal relation would compel us to protest against the common estimate of the members of the Stationers' Company as men so lost to any consideration of honesty or prudence that on payment of 6d. they could, as a matter of routine, reward the theft of an author's manuscript, or a transcript of it, with a perpetual copyright, so that the author himself would be unable to find anyone who would dare to print for him an edition of his own book. We have already seen that an exception must be made in the case of men of fashion like Sir Philip Sidney, who were almost forbidden by social etiquette to send anything they wrote to be printed. To have offered Sidney money for his *Defence of Poesy* or his *Astrophel and Stella* would have been to run a serious risk of being thrown down stairs. Under these circumstances to pirate one of his works might be impudent, but was scarcely dis-

honest. As to risk, whether it was dangerous or not to print a book without leave would depend on the real feelings of the author or his representatives. No one dared to print any work by Sidney during his life. When he had been dead some time, risks were taken, but with small profit to the ventures. In the case of the players, on the other hand, while the dishonesty and injury would be undeniable (for it must have been matter of common knowledge that authors were paid for their plays), the probable amount of risk in any particular case might be calculated on the basis of their presumable willingness or unwillingness to ask their patron to interfere. To an individual publisher, troubled with no scruples as to honesty, the risk may sometimes have seemed very well worth taking, and when it was accepted it may easily have seemed best to take it wholeheartedly. Whatever the proceedings which an author or owner of a manuscript through some influential channel might set in motion, they would probably be taken through the Stationers' Company, so that simultaneously to incur from the Company a fine or threat of imprisonment for printing without entry or licence, would not greatly increase the risk. Whatever the increase may have been, the pirates, according to our evidence, seem to have preferred to take it, rather than to present themselves before the Company to ask that a play to which they had no right might be "entered for their copy." We know that the Company had a wholesome dread of authority, and this apparent unwillingness of those who must be admitted to have been the worst kind of play-stealers to appeal to it is surely not surprising.

Pollard's great and enduring contribution in *Shakespeare Folios and Quartos* was his interpretation of the so-called blocking entries in the Stationers' Register for *The Merchant of Venice*, *Hamlet*, *Troilus and Cressida*, *Antony and Cleopatra*, *Pericles* (and two non-Shakespearean plays: *The Allarum to London* and the nonextant *Cloth Breeches and Velvet Hose*), and of the "staying" order in the Stationers' Register on August 4, 1600, of four plays: *As You Like It*, *Henry V*, *Much Ado*, and *Every Man in His Humour*. Pollard, in other words, was the first to show that Shakespeare and his fellows fought back against the publishers who put out their plays without permission. Furthermore, we owe a great deal to Pollard for making us bad-quarto conscious. If it be said that Pollard made errors just because he did not know how many maimed and deformed quartos there really were, it should immediately be answered that we would not today know how many such texts came out in Shakespeare's day if it



were not for the perspicuous choosing between good and bad texts which Pollard's views induced. The Shakespeare scholar today is as a pygmy standing on the shoulders of a giant—and that giant was A. W. Pollard.

The student who is reading this book will already have acquainted himself with Pollard's second book on the subject of the stolen and surreptitious quartos—hence drastic summarizing will be forgiven. In its first form, the volume was delivered as the Sandars Lectures in 1915 at Cambridge University. These were printed in *Library* in 1916. During the next year, they were published in book form. In 1920 Pollard revised the work and gave it an introduction. It appeared as *Shakespeare's Fight with the Pirates and the Problems of the Transmission of His Text* (*Shakespeare Problems I*, A. W. Pollard and J. Dover Wilson [eds.] Cambridge University Press, 1920). The volume has been reprinted frequently. I use a 1937 issue. On the first page of his Introduction, Pollard wrote: "The central idea of the lectures is that the early editions upon which a text of Shakespeare's plays must be built, are a good deal closer to the original manuscripts from his pen than most of the text-builders have allowed." The entire work is a reiteration and development of the central ideas in his earlier book:

In writing my *Shakespeare Folios and Quartos* in 1909, I gave the Stationers credit for the moderate degree of honesty which succeeds in maintaining itself when times are not too hard, and the players for the moderate power of self-defence which, when one horse has been stolen from a stable in which others are still kept, sets about getting a new lock for the stable-door . . . .

Historians of the drama had argued with great gravity that all the publishers of Shakespeare's plays were thieves, and that the Stationers' Company was always on the side of the thief. The main work of my *Shakespeare Folios and Quartos* was the demonstration that the more charitable view (that while some publishers were thieves others were honest, and that the Stationers' Company, as a body, when called on to lend its help to one side or the other, at least occasionally is found helping the right man) explains alike the reference to 'stolne and surreptitious copies' in the Address to the Reader in the First Folio and the entries in the Register much more successfully than the pessimism which had become traditional with the writers on Shakespeare's text. When the available data were interpreted on these lines the early quartos fell into two groups: (i) of four bad texts to which alone

the epithets 'stolne and surreptitious' properly applied, viz., *Romeo and Juliet*, 1597, *Henry V*, 1600, *The Merry Wives of Windsor*, 1602, and *Hamlet*, 1603, all entered irregularly on the Stationers' Register or not at all, with *Pericles*, 1609, as a later instance of a similar kind; and (ii) of fourteen (positively or comparatively) good texts, twelve of which were regularly entered on the Register, while of the other two one certainly (*Romeo and Juliet*, 1599) and the other probably (*Loves Labors Lost*) were printed to take the place of copies rightly called 'stolne and surreptitious.' The chapters devoted to this topic in the *Shakespeare Folios and Quartos* book were written controversially and on some minor points did not make the best of their case. In the first and second of these Sanders Lectures, the argument is put as well as I can put it, and it has not yet been challenged.

Pollard called his second chapter "Authors, Players, and Pirates in Shakespeare's Day." As his title indicates, there runs through the chapter's pages an identification (as in his earlier book) of (a) publication without the author's permission and (b) publication of books violating stationer's copyright or royal patent copyright:

But except that if a needy printer were earning his bit of bread by pirating a play, he might be a little less likely to be also pirating the *Grammar and Accidence* or the *Catechism with the ABC* [royal patent or privilege copyrights], the magnates of the Stationers' Company had no reason to approve of the multiplying of plays by piracy, while they had the very strongest reasons for not embroiling themselves with the Privy Councillors who were the players' protectors.

Though Pollard recognized that Elizabethan authors possessed no legal rights in their manuscript works and could only avert unwanted publication by an appeal to high civil or ecclesiastic authorities, he refused to admit that surreptitious publication occurred in any great degree in Shakespeare's day:

The point we are making is that the appropriation of literary rights without permission or payment which we call piracy, in so far as it can be proved, was largely concerned with the works of dead authors, or of men whose rank would have forbidden them to receive payment for their books. The talk about books being printed without leave is at least sometimes only doubtfully sincere. Men who were known to be making a living from their pens seem to have suffered very little indeed from piracy . . . .

Pollard stressed the supposition that because of the power of their patrons, such as the Lord Chamberlain or the Lord High Admiral,

the acting companies were well protected from the depredations of the "pirates" in the matter of unpermitted publications of their plays.

On the view here maintained the players' willingness to permit the publication of any individual play would be decided by the conditions of the moment, while their special power of appealing to the Privy Council was a reserve force which secured them against any general attack, but not from isolated and occasional depredations.

The copy for the "pirate's" play text might be the "reproduction" of a minor actor.

If such a treacherous 'hired man' lighted on a printer such as John Danter [who published the bad text of *Romeo and Juliet* without entering it] when the latter was in his worst straits, there was nothing to prevent the piracy from being completed. Danter could hawk the edition among the booksellers without employing a publisher, and as soon as the copies were off his hands his known poverty would make it useless to take action against him. Unless he entered the book on the Register of the Stationers' Company he could claim no copyright in it, but (as we have said) many plays never reached a second edition, so Danter saved the sixpence registration fee, sacrificed the hope of future profit, and was content with his gains on a single edition. Had he flown at the higher game, he might have found himself cross-examined as to the provenance of his copy, and finally have been fobbed off with a conditional entry, 'provided that he get lawful licence for it.' If the impecunious copy-snatcher were a bookseller instead of a printer, he might find himself obliged to take this risk as the only means of making a profit at all. This seems to have been the case with John Busby, when he entered *The Merry Wives of Windsor*, on 18th January, 1602, and assigned it, at the cost of another sixpence, there and then, to Arthur Johnson. If Arthur Johnson had declared himself unwilling to enter the play himself, or to buy the copy before it had been entered, we should have a pretty explanation why two sixpences were spent instead of one.

But the large number of plays, more than one hundred and fifty, put on the market between 1590 and 1610 disallows the possibility of wholesale "piracy" of plays.

If the large numbers in which plays were put on the market in certain years oblige us to presume that they were obtained directly from the Companies of Players, as the only holders of plays who could supply them in this wholesale fashion, it is still part of my case that pirates existed and were occasionally successful.

"... It was the unprivileged men [stationers who did not benefit from the royal patent copyrights for the sole printing of certain bestselling books] whose financial straits led them to take dangerous risks in order to obtain work." Hence Shakespeare's fellows, to protect themselves, had the printer, James Roberts, enter four plays (*The Merchant of Venice*, *A Moral of Cloth Breeches*, *The Allarum to London*, and *Troilus and Cressida*) "in order to postpone their publication till it could not injure the run of the play and to make the task of the pirates more difficult." Furthermore, on August 4, 1600, four other plays (*As You Like It*, *Henry V*, *Every Man in His Humour*, and *Much Ado About Nothing*) were ordered "to be staid" in the Stationers' Register.

Here we have the 'Lord Chamberlain's men' themselves taking action with the Stationers' Company direct, despite the fact that they had no status in it, to protect their own property. The fact that the Stationers permitted them to do this is significant of the influence which as the Lord Chamberlain's servants they possessed; the fact that they were driven to do it is significant also, for it shows indisputably that the danger of piracy was real, and enables us to be pretty sure that one or more acts of piracy had already been committed.

That some of Shakespeare's plays were "pirated" is known from Heminge and Condell's words in the First Folio, but these only apply to the quartos with maimed and deformed texts. These are "by common consent" the quartos of *Romeo and Juliet* (Q 1), *Henry V*, *Merry Wives*, and *Hamlet* (Q 1). To these should be added *Pericles*, which was excluded from the First Folio.

If we put the bad texts, said Pollard, on one side, and put on the other side all the other quartos, including the second quartos of *Romeo and Juliet* and *Hamlet*, "are there any other marked characteristics by which the two groups are differentiated?" There are two: (a) Not one of the above bad texts was employed for the First Folio, yet of the fourteen texts in the other class, all—with the exception of *II Henry IV* and *Othello*—were used as the basis of the folio text. (b) None of the five in "the pirated group" was entered on the Stationers' Register by its publishers, although Arthur Johnson was clever enough to get a man of straw to enter the *Merry Wives* and assign it to him on the same day, thus securing the copyright." On the other hand, of the fourteen texts in the second class "no fewer than twelve were duly entered on the Stationers' Register." Entrance for the good quartos of *Romeo*

and *Juliet* and *Love's Labor's Lost* was not necessary because of the preceding "pirated" editions. ". . . Licence was only required for new books. . . ." In 1607 these two plays were entered as the copies of Nicholas Ling.

Thus all the fourteen good texts were eventually entered on the Register. On these grounds it is submitted that an entry in the Stationers' Register may be taken as *prima facie* evidence that a play was honestly purchased from the players to whom it belonged, while the absence of an entry or entry and immediate transfer, as in the case of the *Merry Wives*, points to a play being printed without the players' leave, or in other words 'pirated.'

In the light of what he had just written, Pollard then reconstructed the story of the Shakespeare quartos. In 1594, when plays were sold by the actors while the theatres were closed due to the plague, John Danter entered and printed *Titus Andronicus*. In 1597, Danter, "who had . . . gone down in the world," "printed a pirated edition of *Loves Labors Lost*." Finding themselves attacked, the players sold to Andrew Wise "the right to print" three plays: *Richard II*, *Richard III*, and *I Henry IV*. After Danter's death "or possibly a little earlier on his damning himself past redemption by pirating the *Grammar and Accidence*," the players sold good texts of *Love's Labor's Lost* and *Romeo and Juliet* to Cuthbert Burby, "whom we must regard as the first of their confidential publishers." In 1598 they had James Roberts make a blocking entry of *The Merchant of Venice*. In 1600, when the players "were more inclined to sell" because they were restricted to two performances a week, the players had *As You Like It*, *Henry V*, and *Much Ado* "stayed," "only to find that *Henry V* had already been pirated by Thomas Millington and John Busby." ". . . They prevented [*As You Like It*] from being printed at all," but sold *Much Ado* together with *II Henry IV* to Andrew Wise. They also sold *Midsummer Night's Dream* to Thomas Fisher and "sanctioned" the publication of *The Merchant of Venice* by Thomas Heyes. In January, 1602, "when the Chamberlain's men were still in disgrace for having acted *Richard II* before the partisans of the Earl of Essex," John Busby Senior, who had already "pirated" *Henry V*, "successfully repeated the trick in the case of the *Merry Wives of Windsor*" by entering and transferring it the same day to Johnson. In 1602 Roberts made a blocking entry for *Hamlet* and in 1603 for *Troilus*. He probably

had no intention of printing either play. But published *Hamlet* was, by Ling and Trundle in 1603. "In this case the players seem to have condoned the attack, and Ling was allowed to publish a revised edition, which was printed for him by Roberts. . . ."

After this Shakespeare's company, now the King's Majesty's Servants, had some years' freedom from piracy, partly owing to the fact that censorship of plays was now more severe, and before entry in the Stationers' Register they had to be licensed by the censor, Sir George Buc. Being in the sunshine of the King's favour, and protected from piratical attack, they had no need to sell plays, and withheld them from the press much more rigorously.

Nevertheless Butter and the elder Busby entered *King Lear* in 1607 and the play was "duly printed from a playhouse copy the next year." "It seems clear that the King's players consented to this," but Busby may have blackmailed them by threatening to reprint the old *King Leir*. Roberts being no longer in business, in 1608 Edward Blount made blocking entries of *Pericles* and *Antony and Cleopatra* and "thereafter showed no more eagerness to publish them than Roberts had done in the case of *Troilus*." But *Troilus* was re-entered in 1609 to Bonion and Walley, and printed the same year. "It seems not impossible that this edition was permitted by the players at Shakespeare's request" because of an old feud with Chapman who was about to publish twelve books of his *Iliad*. Despite Blount's "precautionary entry," Henry Gosson in 1609 "pirated" *Pericles*. Finally in 1622 Walkley "was allowed" to bring out a quarto of *Othello* while the folio was being printed. Such was Pollard's account of the publication of the Shakespeare quartos.

In 1923 various lectures by eminent scholars, in celebration of the tercentenary of the First Folio, were read at meetings of the Shakespeare Association at the University of London. W. W. Greg's contribution was "The First Folio and its Publishers." The lectures were later published in book form: *Studies in the First Folio*, London, 1924. Greg's immense prestige was squarely placed on Pollard's side:

My task is but to summarize, and I shall do little more than borrow from Professor Pollard's *Shakespeare Folios and Quartos*, a masterly work with which, supplemented in some respects by his later investigations into *Shakespeare's Fight with the Pirates*, I find myself generally in cordial agreement.

Like Pollard, Greg did not believe that the officers of the Stationers' Company would allow copy to be entered if the author was definitely opposed to publication. But Greg went a step beyond Pollard in suggesting that the Wardens' concern over censorship was tantamount to concern over surreptitious publication. To obtain the authorization of a Warden the applicant presumably had to satisfy him . . . that it [the copy] contained nothing to which those in authority could object. It was not in general any part of the Warden's business to inquire how the 'copy' had been obtained, but on the other hand there seems no reason to believe that his endorsement would necessarily have been forthcoming if it were known that the author or his representatives were actively opposed to publication.

The bad quartos, said Greg, were six: *Romeo and Juliet* (Q 1), *Henry V*, *Merry Wives*, *Hamlet* (Q 1), *Pericles*, and the non-extant *Love's Labor's Lost*.

All these, where they survive, agree in offering thoroughly corrupt texts, and they likewise agree in not being entered, or being irregularly entered, in the Stationers' Register. All the other early Quartos offer comparatively sound texts, and they were all alike either regularly entered in the Register, or else published to replace Bad texts.

Greg then went on to endorse Pollard—and to offer a challenge: The correspondence between Good and Bad texts on the one hand and regular and irregular publications on the other, established by Mr. Pollard, is a bibliographical fact the significance of which can hardly be diminished by any future discoveries. It is, however, desirable to point out that at present it is a more or less isolated phenomenon. It holds of Shakespeare's plays: as yet we do not know how far it holds of others. In a few obvious instances a similar correspondence certainly obtains: it may in many: it is unlikely to prove universal. One of the most urgent investigations in the field of dramatic bibliography is the extension of Mr. Pollard's thesis, first to the other plays of the Chamberlain-King's company, next to those of the Admiral-Prince's men, and lastly to those of minor organizations. Until a proper survey of the ground shows that he is adequately protected on the flanks, the Shakespearean critic, whatever confidence he may feel in the ultimate soundness of his position, will never be wholly safe against surprise attacks.

It will be remembered that Pollard held that a stationer who published but did not enter a book held no copyright in it. Greg accepted and developed this hypothesis by maintaining that copyright in such a book could not be assigned in the Stationers' Register:

Take, for example, the following entry, which includes the earliest appearance of two of the plays mentioned: '22. Ianuarij [1606-07] . . . Master Linge—Entred for his copies by dirrecon of A Court and with consent of Master Burby vnder his handwrytinge These .iiij. copies. viz. Romeo and Iuliett. Loues Labour Loste. The taminge of A Shrewe—xviijd.' Here formally there is no assignment at all: Linge registers his ownership of the 'copy,' and the Court of Assistants take note of the fact that Burby surrenders whatever rights in the same he may or may not possess. Burby's renunciation facilitates Linge's entry; it is upon the latter alone that Linge's rights, whatever they may be, rest.

Greg developed a part of the Pollard thesis further in "*The Spanish Tragedy—A Leading Case?*," (*Library*, 4th Series, VI [1925-26], pp. 47-53). His conclusion only is quoted here:

I do not think I am claiming too much if I call this episode in the history of *The Spanish Tragedy* a 'leading case' in dramatic bibliography. Unless my interpretation of the evidence is at fault, and it is, of course, admittedly conjectural, we have here an instance of a stationer printing a bad and surreptitiously obtained version of a popular play, and, by a belated entry in the Stationers' Register, defeating the owner of a good authorized text in his purpose of publishing the same, while we see him at the same time debarred from appropriating to his own use the good text obtained by his rival, and thus forced in the end to come to an understanding with him. To bibliographical students of the text of Shakespeare the importance of these facts—if facts they are—will not need stressing.

Greg's hypothesis, briefly, was that a stationer who published a bad quarto of a play did not own copyright in the *play* and in any version of the play which came into his hands.

During the following decade no one directly took exception to the Pollard hypotheses. Nevertheless, E. K. Chambers in his monumental *William Shakespeare, A Study of Facts and Problems* (Oxford, 1930) indicated that he was by no means convinced that these hypotheses were correct:

The [royal] privileges [for the sole printing of certain books and certain classes of books], however, did not affect plays; small affairs commercially, and generally handled by the less important stationers. The Company imposed severe penalties upon breaches of copyright. A great many plays were never entered in the Register at all, for reasons which remain obscure. In some cases a desire to save the sixpenny fee on entry may have operated; in others the manuscript may have been illegitimately obtained, although it is not clear how



far, if at all, the Stationers' Company concerned itself with such matters. An unentered book presumably carried no copyright. But transfers of books from one stationer to another were also registered, and it seems that such a transfer might secure copyright, even when there had been no original entry.

Sir Edmund's caution was not observed by scholars, who—if books and periodicals be examined—remained and remain utterly dependent on Pollard's views, referring to them as though they were dogma.

That Greg was still deeply imbued with Pollard's views as late as 1940 is indicated by a comment in the former's "The Date of *King Lear* and Shakespeare's Use of Earlier Versions of the Story" (*Library*, 4th Series, XX [1939-40], p. 379). The old *King Lear* was in 1605 simultaneously entered (by Stafford, a printer) and transferred (to John Wright) in the Stationers' Register:

One would like to be able to say that the entries are evidence that the copy had been honestly obtained; but this would be going too far. Indeed, simultaneous entry and transfer is always a little suspicious: it may, of course, be only a device on the part of the seller to secure for himself the job of printing; but it may also mean that the purchaser insisted on the procurer of the copy taking the responsibility of entrance. Stafford's reputation, moreover, was notoriously bad.

Greg's re-examination of Pollard's views in *The Editorial Problem in Shakespeare* is, unfortunately, somewhat ambiguous. After providing a summary of the latter's hypotheses, that the class of bad quartos were published in suspicious circumstances and not used by the folio and that the class of good quartos were published after normal registration and (with two exceptions) used by the folio, Greg writes:

This is an impressive argument; but . . . further investigation has tended, not indeed to invalidate it, but somewhat to blur the symmetry of its outline. For one thing, it has been pointed out that absence of registration is not in itself evidence of piracy nor always accompanied by textual corruption; nor is simultaneous entrance and transfer proof of dishonest dealing. Many plays published without entry in the Stationers' Register contain perfectly normal texts, and some can be shown to have been legitimately obtained. On the other hand, some pieces that were quite regularly entered prove to have thoroughly bad texts. [Greg cites the entrance of the bad quarto of *II Henry VI*] . . . Again, not all the 'good' quartos have, according to the latest theory,

quite so respectable an origin as Pollard allowed them. This applies particularly to *King Lear*. Unless I am mistaken, and what would be more surprising Sir Edmund Chambers is equally and independently so, the text of the quarto of 1608, though on a very different level of accuracy from those of the recognized 'bad' quartos, is like these a report based on actual performance, and therefore presumably piratical and surreptitious. Yet it was quite regularly entered in the Stationers' Register, and . . . used in printing the folio text. This is undoubtedly damaging to his [Pollard's] case. . . .

But if what Greg has just written does not "invalidate" Pollard's argument, what would constitute invalidation? In a footnote to the above passage, Greg writes: "*The Merry Wives*, the entrance and transfer of which, however suspicious, were perfectly valid, and *Henry V*, of which Pavier had secured an apparently valid though highly suspicious transfer. . . ." Valid in what sense and suspicious in what sense? It seems a fair inference that Greg is in the process of re-examining the Pollard edifice but has not made up his mind finally as to what to keep and what to reject. This inference is borne out by the paragraph with which he concludes his discussion of Pollard:

It must be admitted that the neatness of Dr. Pollard's argument 'by what used to be called in Logic the method of Agreement and Difference' has suffered somewhat with the advance of knowledge, and recent criticism does not see the details of the evidence quite as he saw them thirty years ago. Nevertheless, he has been held, and I think after all deductions have been made quite rightly held, to have proved his case. No one has any longer the right to maintain that Heminge and Condell abused as 'stolen and surreptitious copies, maimed and deformed by the frauds and stealths of injurious impostors' the very texts they were themselves reprinting in their edition. Their strictures should be taken to apply only to a specific class of notoriously inferior texts, and these they replaced by good ones. Not only is the essential honesty of Shakespeare's friends and fellows vindicated, but the stigma under which the quartos as a class have laboured is removed. There is no reason to believe that the manuscripts from which the quartos of Shakespeare's plays were printed were not for the most part honestly obtained in the ordinary course of business.

It seems to me that this passage is quite ambivalent. If entrance in the Stationers' Register be no longer a test of whether or not a text were fraudulently obtained, upon what grounds within the Pollard scheme does Greg's general premise that the manuscripts

used for the quartos came from the players rest? How can Greg by his own count of the plays printed before the 1623 folio—eight quartos printed from reports and two more printed from private transcripts—hold to Pollard's general optimism concerning the source of the quartos? Utilization by the folio editors should apparently, but actually does not, show whether a quarto was stolen or not. For example, according to Greg himself, these editors partially employed the bad quarto of *Lear*, which was stolen, but utterly rejected the good quarto of *Hamlet*, which was printed from Shakespeare's own papers. Why, then, does Greg still support the Pollard framework? The answer probably is that his subsequent interpretation of the good quartos still rests on Pollard's a priori assurance that as a class the good quartos came from the actors. And it is only because of this reluctance to abandon Pollard that I can account for Greg's refusing in this book to call the quartos of *Richard III* and *King Lear* "bad": he calls them "doubtful." Furthermore, in this book, Greg appears vague as to the hypothesis he suggested in the *Spanish Tragedy* article. He is not at all sure whether copyright in the bad text embraced copyright in the good, whether the owner of copyright in the former could or could not prevent another publisher from bringing out the latter.<sup>5</sup>

In his most recent writing on the subject ("Entrance, Licence, and Publication," *Library*, 4th Series, XXV [1944-45], pp. 1-22), Greg still maintains certain Pollard theses:

Theoretically all copies were supposed to be entered: stationers could be, and occasionally were, fined for printing or publishing works without the formality of entrance; though when they were, it was probably due to a suspicion that their wares were of a nature to attract unfavourable attention from the authorities. Certain it is that many books were openly and regularly printed and published, sometimes under the author's supervision, and apparently without incurring censure, that were strictly speaking 'disorderly' in the view of the Court of Assistants owing to the copies not having been entered in the Register.

Despite the qualifications, here are the Pollard opinions that there was an ordinance of the Stationers' Company which prescribed entrance before publication, that publication without entrance laid the stationer open to Company punishment, and that books printed without entrance were "disorderly."

The present book will have both a negative and positive func-

tion: to disprove the Pollard hypotheses, and to substitute alternative but more probable hypotheses. The following nineteen propositions will emerge: (*a*) that in Shakespeare's day there was no relation between "piracy" (i.e., printing copyrighted books belonging to others) and surreptitious publication; (*b*) that these were actually quite separate phenomena; (*c*) that surreptitious publication was a nuisance, perhaps, but not a punishable offense; (*d*) that a great deal of surreptitious publication went on and could not be prevented easily; (*e*) that the publishers of surreptitious publications, including the publishers of the bad quartos, were reputable tradesmen; (*f*) that there was no relation between their offenses against the Stationers' Company and their publication of the maimed and deformed texts; (*g*) that the stationers took no risk in entering or not entering the stolen and surreptitious texts; (*h*) that it was never the practice of the official licensers or the officers of the Stationers' Company to enquire into the provenance of copy; (*i*) that entrance was not necessary before publication; (*j*) that an unentered book established copyright which could be transferred; (*k*) that there was no relation whatsoever between registration, on the one hand, and surreptitious publication of good or bad texts, on the other; (*l*) that the trade histories of the bad quartos are normal from the viewpoint of the Stationers' Company; (*m*) that copyright in a bad version established copyright in the work; (*n*) that the owner of copyright based on a bad version had to be the publisher of the good version; (*o*) that the fight between the Chamberlain's-King's men and the so-called "pirates" was even more bitter than Pollard suspected; (*p*) that the players were badly defeated; (*q*) that the officers of the Stationers' Company were definitely on the side of the players' opponents; (*r*) that some of the Shakespeare good quartos which have been thought to derive from his own hand or the playhouse may have been printed surreptitiously from private transcripts; and (*s*) that, in general, Pollard's "optimism" is not securely based.

Most of these propositions will receive an explicit and double treatment, both in relation to nondramatic and to dramatic works; but some will emerge solely from the discussion. For example, as Chambers once pointed out—but in a footnote<sup>6</sup>—Pollard's use of "pirate" for the publisher of a bad quarto is a semantic confusion. It comes from using the same word, with opprobrious connota-

tions, for (*a*) copyright stealing, which was illegal in Shakespeare's day; and (*b*) publication without the author's consent, which was not illegal in Shakespeare's day but is in ours.



## CHAPTER TWO

### THE STATIONERS' COMPANY IN OPERATION

#### I

The printers, publishers, and booksellers in Shakespeare's day were not interested in the printing of masterpieces for the delight of future ages. They were not concerned with the philosophical principles of liberty of the press.<sup>1</sup> They were not concerned with the trials and small rewards of authorship. Their attitude toward the advancement of learning is indicated by Hooker's not being able to find a publisher who would take a risk on *The Laws of Ecclesiastical Polity*.<sup>2</sup> Like the grocer and the goldsmith, they were mainly interested in money. They were thoroughly wide-awake business men who were out for a quick penny. To the minor publishers, a Shakespeare play was but a sixpenny pamphlet which they had purchased in manuscript for two pounds more or less.<sup>3</sup> Shakespeare was important to them only because his name on their title pages brought customers. This is not to say that they were not honest, hard-working men. They were. But the historian had better forget modern publishing law and ethics and see them in the light of their own day.<sup>4</sup>

The generic name for printers, publishers, and booksellers was formerly *stationers*. Their guild in London was the Stationers' Company. It is best to classify its members according to functions, for an individual member could perform one or more functions. A printer owned a press or presses. In Shakespeare's day there were never more than twenty-five master printers in London at one time (III, pp. 702-4), and never more than between forty and sixty presses (III, p. 18). (The Government kept a strict control over the number of both.) A printer could own a shop where he sold the books he himself printed-published and where he sold the books other stationers published. The publisher was the entrepreneur who purchased the manuscript, took the risk of publication, paid the printer, owned the copyright, sold the book in his own shop, and sold the book wholesale to other booksellers. The bookseller owned a shop where he sold books. Theoretically, the bookseller need not have published a single book himself. But the advantage of publishing was that one could furnish one's

shop by exchanging with other publishers.<sup>5</sup> When the printer (A.B.) was publisher and bookseller, the imprint commonly read, "Printed by A.B., 1605." When the publisher (C.D.) sold the book at his own shop and to other booksellers, the imprint commonly read, "Printed by A.B. for C.D., 1605." When the publisher had a bookseller (E.F.) retail the book for him, the imprint commonly read, "Printed by A.B. for C.D. and are to be sold by E.F., 1605."<sup>6</sup> The address of the place of sale was very often included in the imprint. Sometimes initials instead of names were given.<sup>7</sup> A stationer could also act merely as middleman in the sale of manuscript.<sup>8</sup> Into other functions of the members of the Stationers' Company, such as bookbinding,<sup>9</sup> it is not necessary to enter here.

In the latter half of the sixteenth century and the first half of the seventeenth, the Stationers' Company of London was by no means, in comparison with other great livery companies, either a wealthy or a large organization.<sup>10</sup> It exercised a threefold authority: "(1) it regulated conditions of production and labor within the trade; (2) it protected the rights of its members in their property; and (3) it acted as the intermediary by which the government controlled the press."<sup>11</sup> It was, on the whole, a smoothly running organization. The regulations provided for it by the government, its written ordinances,<sup>12</sup> and its equally stringent unwritten customs, enabled it to guide efficiently, and with no more friction than would be present in any group engaged in common commercial pursuits, the multiple activities of the individual guild members. Like all the London guilds, within the framework of its charter and attendant legislation, the Stationers' Company was largely autonomous.

Graham Pollard has shown how before its incorporation in 1557 the guild, because of enterprise and prosperity, became stronger and stronger.<sup>13</sup> It achieved a monopoly of printing for England, stopped the importation of bound books from other countries, restricted to its members the retailing of books in London, and by 1550 had wrested control of the wholesale trade from the foreigners who made up the master printers of London in the first decade of the century. It was alert to secure and maintain its privileges. The guild was part of the London administration. It enforced City regulations and carried out special orders of the City concerning guilds in general or stationers in



particular.<sup>14</sup> These early printers, booksellers, and bookbinders appear "to have been on the whole a singularly law-abiding body of men."<sup>15</sup>

The Stationers' Company was granted a charter in May, 1557. Whether the impulse for incorporation came from the crown or from the guild itself is a question that need not concern us.<sup>16</sup> As to the substance and significance of the charter, McKerrow's summary is excellent:

The charter of incorporation sets forth that the society shall consist in the first instance of a master, two wardens, and ninety-four freemen, all of whom are named, being 'freemen of the mystery or art of a stationer of our city of London and suburbs thereof.' They are authorized to hold meetings to elect their master and wardens from time to time, to make such rules as are necessary for the well-being of the society, own a limited amount of property in London, and sue and be sued as a corporate body. They are given the sole rights of printing throughout England, saving that other persons may be permitted to print by royal warrant, and the wardens are empowered to search the premises of any 'stamper, printer, binder, or seller of any manner of books within our kingdom of England,' and to seize any books printed 'contrary to the form of any statute, act, or proclamation made or to be made.' They may burn the books thus seized, and imprison the printer of them, or any one resisting them in their search, for three months, and fine him 100s., the fine going half to the Company and half to the Crown.

It is unnecessary to insist on the immense importance of this charter to the trade. Not only did it give the Company supreme power over printing, but the right of search permitted the wardens to exercise quite effective, if somewhat anomalous, control over all stationers, publishers, importers of books, or bookbinders not belonging to the Company, as well as over its own members. From the point of view of the Government it was an excellent piece of policy, for it is easy to see how much more effective a search for contraband literature or secret presses would be if made by the wardens of the Company, familiar as they were with every detail of the business . . .<sup>17</sup>

To these paragraphs may be added Judge's succinct account of the composition and operation of the Company:

The organization of the Stationers' Company was similar to that of other guilds of the time. The master and wardens, elected annually by the freemen, were the chief officers, who directed the policy of the company. Most of the actual management fell to the two wardens, who had control of the finances and were responsible for the licensing

of all books before entry in the registers. In addition they had charge of discipline, and conducted all searches for secret presses. The court of ancients, or assistants, presided over by the master and wardens, was originally composed of eight or ten of the senior members of the livery; but as the company increased in size its number grew larger, until in 1645 it contained twenty-eight men. This governing body transacted all routine business, gave judgement in disputes between members, levied fines, and dispensed charity to the deserving poor of the company. The freemen were of two classes: the livery and the yeomanry, the former perhaps more prosperous and influential than the latter; at any rate the liverymen were entitled to vote for the lord mayor and other officers of the city.

Aside from the regular members we find a sort of honorary member known as "brother." Such a man might be a Continental workman or an Englishman from outside London.

Finally came the apprentices, who ordinarily obtained their freedom in the company by serving at least seven years, provided that they were then twenty-four years old.<sup>18</sup>

The guild's self-sufficiency was recognized. When Ponsonby, who owned the copyright of Sidney's *Arcadia*, began a civil action against, among others, certain members of the Stationers' Company who were marketing a pirated edition of the romance, the Court of the Star Chamber transferred the case to the Master of Requests and Recorder of London, and the latter, "findeing the Thre Laste Defendtes to bee Dwellers in London and free of this Company, haue referred soe much of ye said bill as only concerneth theis Three Laste named defendtes to be heard and ended by the maister and wardens of this Companie."<sup>19</sup> The guild itself took pains to preserve its own autonomy. There had "ben sute comenced in Lawe betwixt" Robert Dexter and Richard Bradock, stationers, "touchinge certen covenantes for woorkmanship of diuerse scholebookes," but "yt was Agreed that all quarreles and sutes in Lawe should from thenceforth surcease & end And that the causes in controuersie, by consent of both parties should be heard & determined betwene" the Master and Wardens.<sup>20</sup>

In those rare instances in which a member was recalcitrant and refused to be governed by the guild, the Company, in order to enforce its ordinances and decisions, could always appeal to outside authority—the City, the State, or the Church. After one of the stationers guilty of pirating the *Arcadia* had refused to abide by the order of the Stationers' Court, the matter was again

referred to the Master of Requests and the Recorder of London.<sup>21</sup> Christopher Barker, Warden, having tried ineffectually to arbitrate with John Wolfe who was guilty of printing books of which the sole right to print belonged to patentees appointed by the Queen, "Barker gaue him ouer as a man unreasonable to deale withall" and sent a long grievance "To the most honourable Ls. of her Maiesties priuy Councell" concerning "the insolent and contemptuous behavior of John Wolfe and his Confoederats" (II, pp. 779-81).

But except for the uproar raised by the pirating of the privileged books, one will not find many instances in which the City or State was asked to meddle in matters which concerned the stationers themselves. Nor do we find the Government, on its part, dictating to the Company except, occasionally, in the matter of books considered dangerous to the State or the Church.<sup>22</sup> The real official viceroy of the Stationers' Company was the Archbishop of Canterbury who was both the appointer of master printers and the head of the licensing body.<sup>23</sup> The bishops, sometimes prodded by the crown, kept a strict watch on the press for seditious or heretical books,<sup>24</sup> but one does not find them interfering in trade matters. (For official licensing, see below.) All in all, except for the fact that books had to be licensed before printing, the Stationers' Company of London enjoyed a rather remarkable degree of freedom from outside interference. One agrees with George Unwin that "No other company . . . ever attained the same degree of monopoly as that which the State thought it expedient to confer on the Stationers. . . ."<sup>25</sup>

Nevertheless, it is important to remember that the Government in Shakespeare's day could still be despotic, and that one of its members, if powerful enough, could arbitrarily set aside guild and civil ordinances and substitute for them his own commands. In 1578, certain members of the Stationers' Company had suits brought against stationers who had given work to bookbinders that were not freemen of the City of London, and against the *foreigners* themselves. To give work to such was not only contrary to the regulations of the Stationers' Company but also to the statutes of the Corporation of London. Yet on January 21, 1578, Burghley, the Lord Treasurer, wrote a letter to the Lord Mayor concerning William Harvey, "a man Verie skilful in the art of Bookbindinge," who was "yet troubled by the sute of the meaner

sort of that *cumpanie* for exercisinge [the said] trade contrary to an act of comen counsell of yor citie in that behalf made by whome he is sued in the kinges Benche." But Burghley "thought good . . . that sutes comensed Against him . . . may Be withdrawn from the kinges Benche. And that the parties maie Be enioyned to prosecute ye same before yr lord in London." Moreover he prays his Lordship "to devyse some meanes" whereby Harvey and other expert binders could exercise their trade "without offence of the statute" and whereby stationers who gave them work could do so "without offence of ye said act." Accordingly on January 23, the City ordered that "all such svtes as lately were commensyd . . . agaynste the same Stacyoners to be furthwithe stayde and not proceedyd therein." And on March 4, the City Clerk, including a copy of the Lord Treasurer's letter in his order, notified the Company that according to the order of the court of the Lord Mayor and Aldermen "noe sute shalbe comensed or broughte . . . against any stacioner for puttinge anie of their work vnto straungers or foreynes . . . contrarie to the acte of comon Counsell in that case made and provided without the especiall license of this Courte."<sup>26</sup> In such a manner, therefore, could the rules and regulations of the guild of stationers be rendered void at the behest of a powerful lord. But the guild was not always ready to listen.

For the stationers, as has been pointed out, were hardheaded men of business. ". . . We must think of these printers and publishers as caring chiefly for their crowns, half-shillings and silver pennies. They bore the yoke of licensing as best they could, but only as a means to hold themselves harmless from the political and ecclesiastical powers. Their business was to live and make money; and keen enough they were about it."<sup>27</sup> Their successfully stringent attempts to keep members of the Drapers' Company from printing and so invading their own field of competition<sup>28</sup> may be witnessed, and their battle, on the same score, against the stationers of Cambridge.<sup>29</sup> To illustrate the economic enterprise of the stationers of this time and their restiveness at outside interference which deprived them of profit, nothing more graphic can be instanced than the fact that in 1601 after Samuel Rowlands' *The letting of humours blood in the headvaine* had been condemned, the remaining copies to be burned, and the book not to be printed, the book *was* reprinted and copies *were*

sold by no less than twenty-nine stationers who comprised a great part of the booksellers of London at that time.<sup>30</sup> Although "Ordinarily the lightest wish of the archbishop would have been law to the Stationers' Company," it could and did oppose his will when a question of adherence to its ordinances and the principles behind those ordinances arose.<sup>31</sup> Nor was the Company willing to obey the sovereign himself when his orders would lead to a loss of profit and a lessening of independence.<sup>32</sup>

## II

The government controlled the press in this period through the device of official licensing. What Chettle says of the manuscript of Greene's *Groatsworth of Wit* was theoretically true of all books: "licensd it must be, ere it could bee printed."<sup>33</sup> The ecclesiastical censors were paid, and paid very well, it appears, for their pains in perusing and allowing the copy.<sup>34</sup> Sometimes the *imprimatur* is found on the title page or its verso or at the end; but the printing in the book of licenser's name, date, and fact of authorization was by no means common in Shakespeare's day.<sup>35</sup>

It was not always possible to obtain an official license. The first attempt to print *The Mirror for Magistrates*, in Mary's reign, was unsuccessful. The Lord Chancellor in 1555 refused to allow its publication. The edition of 1559 came out in the first year of Elizabeth's reign only with the help of Lord Stafford.<sup>36</sup> "Ye godly & reuerent yt had to deale in the cause, misliking it, forbad ye publishing" of Thomas Lodge's reply to Stephen Gosson's *School of Abuse*.<sup>37</sup> Nevertheless, the book was printed, but without title page or indication of authorship.<sup>38</sup> The possible dangers in printing without authorization were multiple: confiscation of the book, destruction of the press, heavy fine, the pillory, loss of guild membership, et cetera. Yet even the most respectable stationer could be tempted. George Bishop, printer and publisher, was Warden twice and Master no less than five times between 1577 and 1608. On December 4, 1584, he writes to Dr. Reynolds of Corpus Christi concerning some work of Reynolds which Whitgift had refused to license:

Mr. Hoker wolde neds have it goe unto my L. of Cant. otherwyse I was in mynde to doe it first, which I wold I had done, that the world might have Judged of it, there wold have bin no talk further then, yf it had been extant.<sup>39</sup>

One of the chief reasons for the incorporation of the Company of Stationers in Mary's reign was to provide a satisfactory means of censorship. This can be inferred from the very first words of the charter:

The king and queen to all to whom etc. greeting. Know ye that we, considering and manifestly perceiving that certain seditious and heretical books rhymes and treatises are daily published and printed by diverse scandalous malicious schismatical and heretical persons, not only moving our subjects and lieges to sedition and disobedience against us, our crown and dignity, but also to renew and move very great and detestable heresies against the faith and sound catholic doctrine of Holy Mother Church, and wishing to provide a suitable remedy in this behalf, of our special grace and from our certain knowledge and mere motion we will give and grant for ourselves, the heirs and successors of us the foresaid Queen, to our beloved and faithful lieges Thomas Dockwraye, [96 names] free men of the mystery or art of Stationery of our City of London, and the suburbs of the same, that they from hence forth may be in fact, deed and name one body by themselves for ever, and one perpetual community incorporated of one Master and two Keepers or Wardens in the community of the same Mystery or Art of Stationery of the foresaid City, and that they may have perpetual succession. (I, p. xxviii)

But the procedure for official licensing set up by Elizabeth in her first parliament (1559) was not feasible. Before being printed, an ordinary book had to "be first licenced by her maiestie by expresse woordes in writynge, or by .vi. of her priuy council, or be perused and licensed by the archbysshops of Cantorbory and Yorke, the bishop of London, the chauncelours of both vnyversities, the bishop beyng ordinary [i.e., Ecclesiastical Judge as well], and the Archdeacon also of the place where any suche shalbe printed, or by two of them, whereof the ordinary of the place to be alwaies one." As to "pamphletes, playes and balletes," they were to be "lycensed by suche her maiesties commysioners, or .iii. of them, as be appoynted in the citey of London to here, and determine diuers causes ecclesiastical." The names of the licensors were to be placed at "thende of euery such worke, for a testymonye of the allowaunce thereof." Any stationer who, before publishing, failed to license a book according to the above Injunctions was to be "punyshed by order of the sayde commysyoners, as to the qualitie of the faulte shalbe thought mete" (I, p. xxxviii).<sup>40</sup> Imagine getting three ecclesiastics to license a ballad!

Even before 1559, the Company itself had acted as the licenser of books; and after 1559 it continued to do so. In the earliest of the so-called Registers, ledgers in which the Clerk recorded the various items of Company business, are for 1556-57 the following fines: "Also yt ys agreed for an offence Donne by master wallye, for conselyng of the pryntyng of a breafe Cronocle contrary to our ordenances before he Did presente the Copye to the wardyns and his fyne to be payde within xiiij Dayes after this order taken .xx s" (I, p. 45); "Recevyd of Robert Calye for pryntyng of a boke contrary to our ordenaunces that ys, not havynge lycense frome the masters and wardyns for the same the xvij Daye of Decembre [1557]. iiij s" (I, p. 70). In an abstract of proposed ordinances which was drawn up by the Company in 1558-59 for approval by the government, the first item asks for Elizabeth's confirmation of the charter granted by Mary. There is no mention of official licensing. The fourth item reads, "Euery boke or thinge to be allowed by the stationers before yt be prynted" (I, p. 350). Sir John Lambe, in 1636, tells us that:

. . . from 19<sup>o</sup> Elizabethe till the Starrechamber Decree 23<sup>o</sup> Elizabeth: many [books] were licensed by ye master and Wardens, some few by ye master Alone, and some by the ArchBishop and more by the Bishop of London, The like was in ye former parte of ye Quene Elizabeths time . . . (III, p. 690)

Richard Robinson, a contemporary author, in his manuscript *Eupolemia*, in which among other data he recorded by whom his books had been licensed,<sup>41</sup> not only tells us that *The Reverend D. Philip Melanthon his prayers* (1579) had been "Perused and allowed by the sayd Lord B. of London," but informs us also that *Certain selected histories for christian recreations* (1576?) had been merely "Perused and allowed by the Wardens of the Stationers"; *Robinsons Ruby an Historicall fiction translated oute of Latin prose into English Verse* (1577), "Perused and allowed by the sayde Wardens"; *A record of auncient histories, Gesta Romanorum* (1577), "Perused further and allowed by ye sayde Wardens"; J. Leland, *A learned and true assertion of the life of Prince Arthure* (1582), "Perused and allowed by the Wardens of ye Statyoners." In the Register the Clerk kept a list of the books that had been licensed<sup>42</sup>—recorded the stationer, the name of the book, and the fee for the Company's license. Thus at the begin-

ning of the entrances of copies for 1558-59, is the heading, *Lycense for pryntinge* (I, p. 94); for the following years this kind of entrance (I, p. 203) is usual:

master Tottle. Recevyd of master Tottle for his lycense for pryntinge of the Tragicall history of the Romeus and Juliett with sonettes. iiijd

Not until the years 1586-88 did a workable system of official censorship come into being. According to the great Star Chamber decree of 1586 regulating printing, the copy for any book to be published was to be "first seen and perused by the Archbishop of Canterbury and Bishop of London for the tyme beinge or any one of them."<sup>43</sup> Compared with what had been previously demanded as sufficient authorization before printing, this request was mild. Licensing was to be made even less onerous, for soon afterward deputy-licensors were provided. In 1588 "The Archbishop gave power to Doctor Cosin Doctor Stallard. Doctor Wood. master Hartwell Master Gravett Master Crowley master Cotton and master Hutchinson, or any one of them to license bookes to be printed: Or any 2. of those following master Judson master Trippe, master Cole and master Dickens:"<sup>44</sup> Thus after 1588 it was a fairly simple matter to license a book officially, to determine what books could be printed and what books could not. This was no slight gain for the stationers when one realizes that not only could the printer or publisher's stock of a condemned book be confiscated, not only could the printer's press or presses be destroyed because of such a book, but also the printer's very livelihood—his right to print—might be taken away. The guild, moreover, was constantly ready to inflict heavy fines on those who dared to print without license. On August 18, 1595 (II, p. 823), for example, "Yt is ordered that William Barley shall pay xl s for a fine for printinge iij ballades and a booke disorderly without license or authoritey." By such threats did State and guild control the book trade of London.

A description may now be given—without including all the variations—of the evolution of the entrance, i.e., the notation in the Register that a license had been granted. It is necessary to point out immediately that despite the assumption of licensing by the Wardens before 1586, when they were in doubt or, perhaps, when the stationer was in doubt, as to the complete propriety of the copy which was to be printed, the Archbishop of Canterbury



or some other ecclesiastic was asked to peruse the copy and officially allow it. (For example in Robinson's *Eupolemia* opposite *The auncient order, societie and unitie laudable of Prince Arthur* (1583?) is: *Pervsed, and allowed by the sayd Mr. Stephen Battman preacher and by ye Wardens of the Statyoners.*") In 1558-59 is written (I, p. 95):

John Judson. John Judson ys lycensed to prynte the Compendious treates or manvall of prayers. iiijd

Later the fact that it is the Company's officers who are responsible for the authorization is specifically indicated, as on March 15, 1580 (II, p. 366):

peter french. Licenced vnto him vnder thandes of the wardens: A comly closet of christian Counsell. vjd

When an ecclesiastic had licensed the book before the stationer brought it to Stationers' Hall to be licensed by the Wardens as well, the entry reads as for 1566-67 (I, p. 343):

marsh. Recevyd of Thomas marsh for his lycense for pryntinge of a boke intituled serten tragicall Discouurses into englesshe by Geffray Fynton gent by my lorde of Canterbury. viijd

Since the bishops employed deputy-licensors even before 1588, the entrance may read as on August 18, 1580 (II, p. 375):

William wright. Licenced vnto him vnder master Vaughans hand A true Report happened in Germany at Melwing by A mayd of 14 yeres old. iiijd

The following entrances foreshadow the style that was to become standard, as on March 31, 1582 (II, p. 409), with Dewce the Junior Warden:

master Cawoode. Licenced to him vnder thandes of master Recorder [of London] and master Dewce Watsons passions manifestinge the true frenzy of love. vjd

Thomas Man. Licenced to him vnder thande of master Dewce a booke intituled *De sanitate tuenda medicinae pars prima* Authore Timotheo Brighto medicinae Doctore. vjd

After the Star Chamber decree of 1586 some difficulty was experienced at first in phrasing the entrance, as the following examples show.

November 27, 1588 (II, p. 509):

Thomas Orwin. Entered for his Copie, Boke his Surfeyt in love. with

a farewell to the folies of his own phantasie Allowed by the Bishop of London vnder his hand and Entred by warrant of master Denhams hand to the copie. vjd. D[ebens].

February 1, 1589 (II, p. 515):

John Charlwood. Entred for his Copie A compendious forme for Domesticall Dutyes, Collected by Charles Gibbon. and Allowed vnder Doctor Stallardes hand: and master Coldockes beinge to the copie. vjd

Finally, however, the following style of entrance became standard, as on March 3, 1589 (II, p. 517):

John harrison Junior. Entred for his copie vnder Doctor Stallardes hand and master Coldokes: a fruteful meditation . . . by James the .6. kinge of Scottes. vjd

For a while, however, some of the old styles were used: "Lycenced to John Wolf under thandes of master Hartwell and bothe the wardens, theis Copyes followinge" (II, p. 518): "Allowed vnto him for his Copie, A Ballad . . . Authoised vnder thandes of the Bishop of London, and master warden Denhams" (II, p. 519); or "Entred for his Copye . . . Authoysed vnto him at the hall . . ." (II, p. 535); or "Entered for his Copye . . . Authoysed vnder thandes of the Archbishop of Canterbury, and bothe the wardens" (II, p. 536).

The normal procedure of entering the copy after 1588 is easily envisaged. The stationer brings the copy to one of the bishops' chaplains. On the manuscript itself, the latter indicates that the copy may be printed—authorizes or licenses the copy, that is.<sup>45</sup> The stationer then brings the manuscript to Stationers' Hall. The Wardens peruse the copy, looking not only for the official consent, probably in the form of a signature, but also for any remarks the official licenser may have made concerning cancellation of certain passages, revision of certain pages, et cetera. The Wardens, then, if they are satisfied, add their names to the copy, and the stationer brings it to the Clerk. He in turn examines the copy for its hands (i.e., authorizations). Having determined that it is licensed properly, he enters the stationer's name, the authorization, and the title in the Register, together with the fee of sixpence for the entrance.<sup>46</sup>

The official licenser's and Wardens' hands were set down on the copy itself. This is made clear from such entrances as the

following: (a) "pervsed by Master Crowley with his hand at yt and there uppon allowed by the wardens vnder their hands" (II, p. 397); (b) "master crowleis hand beinge to yt as a testimonie yat yt is tollerable to be printed" (II, p. 411); (c) "This is entred by the commaundement of master warden watkins in wryting vnder his hand" (II, p. 431); (d) "entred by commaundement from master warden newbery vnder his own handwrytinge on ye backside of ye written copie" (II, p. 440); (e) "entred by author[it]y of master warden bishops hand to the copie and master Hartwell certifying it to be tollerated" (II, p. 459); and (f) "Entred by Warrant vnder the wardens handes to the wrytten cotype" (II, p. 462). On March 14, 1592 (II, p. 605) three sermons were entered, "Euerie one of them seuerallie allowed and signed vnder the handes of the Bishop of London, and bothe the Wardens." There are extant a few samples of printer's copy with the official authorization written upon it: Book V of *The Laws of Ecclesiastical Polity*; Taylor's *The Causes of the Diseases of the Kingdom*; Book I of *Paradise Lost*, which contains on the inside of the front leaf of the wrapper the license of Thomas Tomkyns, chaplain to Archbishop Sheldon, endorsed by a Warden and the Clerk.<sup>47</sup>

Upon the copy, too, were written any provisions, suggestions, or directions the censor chose to make:

Receaved of him for printinge an enemy to nature. Which as Master Hartwell certyfyithe by his hande to the written Copie. my Lordes grace of Canterbury is content shall passe without anie thing added to yt before it be pervsed (II, p. 479)

Entered for his Copie vnder the handes of Master Wilson and Master ffeild warden an Comedie called Sir Gyles Goosecap provided that yt be printed accordinge to the Copie whereunto master Wilsons hand ys at (III, p. 309)

Entred for his Copy vnder the handes of Sir Henry Herbert and Master Smethwicke warden a Comedy called the Leaguer (the reformationes to be strictly observed may be printed not otherwise) expressed by the foresaid words (IV, p. 270)

Entred for his Copy vnder the hands of Sir Henry Herbert and Master Aspley warden (observing the Caution in the License) a Tragedy called Perkin Warbecke by John Fford (IV, p. 314)

What the licenser also did, of course, was to make his indications

for omission and change directly in the copy, just as the Master of the Revels made his marks in manuscripts submitted to him for stage license. The following entrance indicates this:

Receaved of him for printinge a ballad intituled. A belman for England &c certified by master Hartwell to be allowed leaueinge out the ij stauies yat are crossed (II, p. 461)

So does the following author's preface to *The seduction of Arth-ington by Hacket* (1592):

Christian Reader, I am to giue thee to vnderstand, that the Epistle before, and the booke following, were both perused and allowed by authoritie: and after sent mee agayne to examine, that I might see and testifie what vpright dealing I found therein. In verie trueth, I finde nothing in substance added to the originall, but certaine wordes and sentences changed for the better. The rest (I protest) is mine owne doinges, as I was directed by the spirite of God.<sup>48</sup>

Cutting by licensers of plays to be printed could be extremely severe, as can be seen from Chapman's *Charles, Duke of Byron* (1608):

The text has been ruthlessly censored; in particular the peccant scene has been cut out of Act II of Part ii, and most of Act IV of Part i, dealing with Byron's visit to England, has been suppressed or altered. The Epistle [by Chapman] offers 'these poor dismembered poems,' and they are probably the subject of two undated and unsigned letters printed by Dobell in *Ath.* (1901), i. 433. The first, to one Mr. Crane, secretary to the Duke of Lennox, inquires whether the writer can leave a 'shelter' to which 'the austeritie of this offended time' has sent him. The other is by 'the poor subject of your office' and evidently addressed to the Master of the Revels, and complains of his strictness in revising for the press what the Council had passed for presentment.<sup>49</sup>

The Wardens accepted as evidence of official authorization not only written permission on the copy but also the testimony of a reliable witness that permission had been granted orally. For example, on October 22, 1634 (IV, p. 328), appears: "Memorandum master Baker did verbally allow of this License witnes master Downham." Other examples of the Wardens' accepting official allowance by testimony are: December 7, 1584 (II, p. 437), "allowed by Tharchbishop of Canterbury. by Testymonie of the Lord Chenie"; and September 13, 1587 (II, p. 475), "Aucthorised by Tharchbishop of Canterbury as is reported by master Cosin." The entering stationer himself could also be the witness that an

official authorization had been procured: August 1, 1597 (III, p. 88), "Provided that this entrance shalbe voyd yf the seid booke be not Authourised by the seid vniversitie as he saieth it is"; May 30, 1609 (III, p. 411), "he sayth yt is authourised by master Etkins."

Similarly the Warden might verbally allow copy: February 13, 1581 (II, p. 388), "Lycenced vnto him by master watkins [Senior Warden] Commaundente by worde and master Doctor Clarke Deane of Tharches his allowance vnder his hande." A stationer could report to the Clerk that his copy had been allowed by the Wardens: April 28, 1581 (II, p. 392), "Lycenced vnto him, as he saieth, vnder thandes of ye wardens"; or a witness could report that the Wardens had given their consent: April 26, 1600 (III, p. 160), after an entrance of a book to Thomas Bushell, "John Hardie [bookseller] reporteth that the wardens are Consenting to the entrance thereof."

It appears from their "Commaundementes" of June 1, 1599 (III, p. 677), that Archbishop Whitgift and Bishop Bancroft were not above believing that stationers were capable of forging a licenser's name:

That thoughe any booke of the nature of theise heretofore expressed shalbe broughte vnto yow vnder the hands of the Lord Archebisshop of Canterburye or the Lord Bishop of London yet the said booke shall not bee printed vntill the master or wardens have acquainted the said Lord Archbishop, or the Lord Bishop with the same to knowe whether it be theire hand or no,

Jo Cantuar  
Ric London

Although the vast majority of books were licensed by the group consisting of the Archbishop of Canterbury, the Bishop of London, their chaplains, *et alii*, it is clear that the Wardens accepted a license or authorization by anyone of great authority. For instance, in 1590 pamphlets on French affairs were entered "vnder the Ffrenche Ambassadors and bothe the wardens handes" (II, pp. 568, 569). In October, 1588, "The Popes Bull in Dutche with the answer thereto to be translated" into English was "authorized vnder the Lord Treasurers hand"—Lord Burghley's (II, p. 502). In March, 1623 (IV, p. 93), a book on how to search legal records was entered "vnder thandes of Sir Edward Powell knight, master of Requests." Books could also be officially licensed by lesser personages than these. On June 30, 1593 (II,

p. 633), was written "Entred for their copie, tharraignment Judgement and execucon of three wytyches of Huntingdonshire, beinge Recommended for matter of truthe by master Judge ffenner vnder his handwrytinge shewed in a Court or assemblie holden this Daye according to thordinances of the company . . . The note vnder master Justice ffenners hand is Layd vp in the wardens cupbord." On March 1, 1628 (IV, pp. 193-94), John Grismand entered two books, a Hebrew grammar and an anthology of minor Greek and Latin poetry, both "Comended as a fitting booke to be printed here in England by Master Nicholas Gray scholemaster." On October 23, 1634 (IV, p. 329), a collection of sermons by Joseph Bentham was entered "vnder the hands of Master Doctor Loue Vicechancellor of Cambridge with 3. Doc-tours hands more." On February 15, 1640 (IV, p. 498), "The addicions to the World in the Moone with a discourse concerning a new planett the second booke" was entered under the hand of "A: Ffrewen vicechancellor of Oxford."

As Arber points out (IV, p. 27), a certain amount of specialized licensing is found in the Registers: the Earl Marshal for heraldic books; eminent surgeons for medical books; the Secretary of State for political books. There is not very much of this, however.

In and after 1607, most plays were licensed for the press by the Master of the Revels or his deputies,<sup>50</sup> but it should be remembered that before 1607 a play could be licensed by any official licenser. For instance in August, 1602 (III, p. 214), *Thomas Lord Cromwell* was entered under the hand of "master Jackson" who licensed all kinds of books (e.g., III, p. 383).

Although it is clear that after 1586 the majority of copies entered were licensed by the bishops, their deputies, or special licensers—and of course this would include all copy toward which the Wardens had the least doubt as to official reprisal—it must be added that the Wardens even after the year of the Star Chamber decree continued to exercise the licensing powers which they had assumed before that time. Some bibliographers have failed to understand this,<sup>51</sup> yet the evidence is clear in such entrances as this of April 5, 1587 (II, p. 467):

Thomas Purfoote. Receaved of him for pryntinge . . . A booke intituled, Epigrammata Johannis Lelandi, authourised vnder the wardens handes. vjd

October 19, 1604 (III, p. 273):

Master Bradocke. Entred for his Copie vnder thandes of the wardens  
A Booke Called the fruiterers secrets. vjd

That of a play, September 8, 1600 (III, p. 172) is similar:

ffelix Norton. Entred for his copie vnder the hand of master Dawson  
[Warden], a booke Called Jack Drums enterteynment A commedy as  
yt hathe ben diuerse tymes Acted by the Children of Paules. vjd

When it was difficult to have copy licensed officially, the Wardens authorized copy—as in the plague time of July, 1603 (III, p. 241), or when they were sure that they could safely authorize a book without benefit of the bishops or their chaplains. Normally, after 1586, the Wardens licensed only ephemerae—such as songs and ballads (III, p. 257, *passim*); or a long poem: *The Rape of Lucrece*, entered on May 9, 1594 (II, p. 648), solely under Warden Cawood's hand; or plays.

Thus, on May 2, 1594 (II, p. 648), *The Taming of a Shrew* was entered merely "vnder master warden Cawoodes hand"; on May 13 (II, p. 649), another playbook under the same authorization. On May 15 (II, pp. 648-49), six plays were entered: two under Cawood's hand, *The Famous Victories of Henry V* and Greene's *James IV*; three "under thandes of bothe the wardens"—Greene's *Friar Bacon and Friar Bungay*, the old *King Leir*, Peele's *David and Bethsaba*; one, *The Comedy of Robin Hood and Little John*, "Entered . . . by authoritie from the wardens." On May 17 (II, p. 650), Marlowe's *Jew of Malta* was entered under one Warden's hand. *Titus Andronicus* was entered in 1594 (II, p. 644) under the hands of the Wardens alone; *Richard II* in 1597 (III, p. 89) with the permission of one Warden. Even though on June 1, 1599 (III, p. 677), it had been explicitly stated by the bishops "That noe playes be printed excepte they bee allowed by such as haue authorytie," it has just been seen that Marston's *Jack Drum's Entertainment* was entered in September, 1600, merely under the hand of one Warden.

Why the fact that the Wardens licensed after 1586 has not been recognized sufficiently is rather difficult to discover. Greg, for instance, is misleading:

I think there can be no doubt that by 'authoritie' is meant the official allowance, and by 'lycence' that of the Warden, and not *vice versa*.<sup>52</sup>

But an examination of the Registers will show that "authorized"

and "licensed" were used interchangeably. It has been mentioned that in May, 1594, a play was entered "by authoritye from the wardens." On February 5, 1593 (II, p. 626), appears "Lycenced by the Lord Bisshop of London vnder his hand" (II, p. 626), and later in the same year "a booke lycenced vnto him by the Bisshop of Canterbury his grace, and Master Woodcock warden" (II, p. 634).<sup>63</sup>

To continue the study of the entrance and licensing, "Provided that he get authority" in an entrance does not mean, as has been supposed, that the Clerk or Wardens suspected either the enterer or his copy. This may mean one of two things: (a) The stationer intended to have his copy licensed after entrance. (b) The stationer had not considered his copy important enough to require an official license but was requested to obtain one by the Wardens, who did not wish to exercise their assumed powers of licensing upon the book in hand. One must remember that after the Star Chamber decree of 1586, it was the exception rather than the rule for a book to be entered only "under the Warden's hand." The Wardens continued to act as licensors only for ephemerae or for what they considered absolutely safe copy.

Frankly, when one runs across "Alowed vnto him for his copie . . . vpon this Condycon neuertheles that the said Robert before he goo in hand to print yt shall procure it to be Authourised accordinge to her maiesties Iniunctions" (October 7, 1585; II, p. 444); or "Entred vnto him, vppon Condycon that yt maye be lycenced vnto him hereafter to prynte" (February 1, 1588; II, p. 483), or other such conditional entries, one does not know which of the two reasons postulated above was behind the entrance. Nevertheless when one analyzes such entrances as the following, he is in no doubt that the enterer intended to obtain an official license after the time of entrance:

January 15, 1589 (II, p. 514),

Edward Aldee. Entred vnto him the first foure bookes of Amadis de Gaule To be translated into English and so to be printed for his copie so yat he first gett yt to be laufully and orderly alowed as tollerable to be printed and Doo shewe thauctoritie thereof at a Court to be holden. vjd

August 1, 1603 (III, p. 243),

Master Man. Entred for his copie aswell in Latin as in English. A



Booke called in Latyn Metaphrasis Libri Salomonis qui inscribitur Ecclesiastes. Provided that he gett sufficient Aucthority for yt before he publish or print yt. [no sum stated]

It is obvious that a translation which has not yet come into being cannot be "perused and read" by a censor. And it is equally obvious that Thomas Man who dealt chiefly in theological works and who had been Senior Warden the year before<sup>54</sup> must have known that a work such as he was entering had to have ecclesiastical sanction before it could be published.

The following entrance, of May 18, 1621 (IV, p. 54), however, probably means that Browne did not expect to be asked for his official license when he brought the copy:

Joseph Browne. Entred for his copie vnder the hand of Master Lownes warden, A true and faithful relation of a wonderfull seamonster, A sea-man lately taken at sea, betweene Denmark and Norway. vjd

Provided that he bring farther authority

Sometimes, however, the enterer was required by the Wardens to get further authority even though his book had already been licensed. On October 22, 1634 (IV, p. 328), Allot entered a book "vnder the handes of Master Buckner dated the 9th. of Nouember 1632. and master Rothwell warden"; beneath is, "Memorandum master Baker did verbally allow of this License witnes master Downham." In other words, the Wardens, probably because of the duration of time between licensing and entering, demanded that the copy be reallocated—and Baker sustained Buckner's original authorization. The next example, however, indicates an out-and-out refusal by the Wardens to accept the "sufficient authority" which the enterer had already procured—September 18, 1621 (IV, p. 59):

John Norton. Entred for his Copie vnder the handes of Sir George Bucke and bothe the wardens A booke called the pilgrim of Casteell or The Fortunes of Llamphilus and Nisa, but not to be printed by order from the wardens vntill he bringeth more sufficient authority. vjd  
The Master of the Revels' hand should have been sufficient authority, but the Wardens probably knew that "Old Sir George Buck, master of the revels has gone mad"—as Chamberlain wrote in a letter dated March 30, 1620.<sup>55</sup>

On September 13, 1632 (IV, p. 285), John Marriot entered Donne's poems:

Entred for his Copy vnder the handes of Sir Henry Herbert and both the Wardens a booke of verses and Poems (the five satires, the first, second, Tenth, Eleaventh and Thirteenth Elegies being excepted) and these before excepted to be his, when he bringes lawfull authority. vjd  
written by Doctor John Dunn

Accordingly on October 31 (IV, p. 287), one finds:

John Marriott. Entred for his Copy vnder the hands of Sir Henry Herbert and Master Aspley warden The five satires written by Doctor J: Dun these being excepted in his last entrance. vjd

Herbert was in possession of his senses at the time. Can it be that Herbert could not make up his mind concerning the "excepted" poems and required Marriot to bring them back again after he had made a decision or received advice from others? We know he sought the advice of Charles before he licensed certain plays. If this hypothesis be true, the original entry falls into the category of entries in which the official licenser himself allowed the copy provided the stationer obtained further authorization. The licenser could merely demand that the stationer bring the copy back for reperusal before printing. On April 14, 1599 (III, p. 142), Davies' *Nosce Teipsum* was entered to Standish:

This is authorized vnder the hand of the L Bysshop of London, Provyded that yt must not be printed without his L hand to yt agayne

The licenser could allow a book "by warrant" (which probably means limited as opposed to complete official approval) provided the stationer had the copy revised according to the licenser's demands and then brought the manuscript back for "lawful allowance." This is indicated clearly in the following entrance for June 18, 1592 (II, p. 614):

John kydde. Entred for his copie by warrant from master watkins a little booke of the Judgement and execucon of John Parker goldsmith, and Anne Bruen for poysoninge her late husband John Bruen goldsmith. vjd

Provided that this booke before yt be printed shalbe drawn into good forme and order and then lawfullie allowed to be printed

Similarly, on August 22, 1592, a book was "Entred for his copie by warrant from master Watkins," "Provided that this booke must be perused by master Watkins before yt be printed" (II, p. 619). There is, however, no real difference in the meaning of the above entries and this one for August 26, 1615 (III, p. 571):

Walter Burr. Entred for his Copie vnder the handes of Master Doctor Nid to be printed after it hath ben persued and purged, and vnde[r] the handes of both the wardens, not to be printed before it be newly allowed, An Introduction to a devout life Per J De Salles, translated out of French. vjd

Beneath this entrance is written, "allowed afterwarde to be printed by Master Doctor Nidd. 12 Septembris 1615."

Not only could a licenser demand that the manuscript receive further authority even though he allowed it, but he could also, under the same condition, require that the printed book be brought to him for final approval before copies of it were sold. Grimeston's translation of Louis de Mayerne Turquet's history of Spain was entered "vnder thandes of master Etkins and thwardens . . . Prouided that euerye sheete is to be by Master Etkins revised and by authority allowed." (Perhaps this request accounts for the fact that although the above entry was on November 19, 1608 [III, p. 395], the book was not published until 1612, *STC* 17747.) Finally, the original licenser could allow a book, provided the stationer procured further authority from a higher authority than the original licenser, as on January 17, 1592 (II, p. 602):

Robert Dexter. Entred for his copie by warrant vnder master Watkins hand. A booke intituled The Reuelacon of Saint John the Apostle and Evangelist methodicallye Resolued and expounded accordinge to the historie of the Catholicke and Christian Church by master Frauncis Junius Doctor of Divinitie and professor in the vnversitie of Hedelbergh Translated out of Latin into Englishe.

Provided alwayes that the said Robert Dexter before the fynishinge of this booke shall procure yt to be aucthorised vnder the hand of the Lord archbishop of Canterbury or of the Lord Byshop of London. vjd

It is also true that a Warden acting as licenser could allow entrance and yet demand further authorization by the other Warden. On April 19, 1595 (II, p. 296), a ballad was entered to Thomas Millington "vnder thande of Master Warden Binge"; beneath is written, "Provided that before the printinge thereof he get Master Cawoodes hande for further warraunt." Cawood was Senior Warden at the time; Binge, Junior Warden.

Usually the fact that the stationer had received the further authority was not recorded in the Registers. In only two of the entries so far noted was there a subsequent recording that the

stationer did later receive approval of his copy from a censor. This merely means, probably, that the stationer had not bothered to inform the Clerk of the fact that he had received official licensing. For instance, on March 29, 1588 (II, p. 488), Greene's *Perymides* was "Alowed vnto him [Edward White] for his Copie" if he "get the same Lycenced and authorised" before printing. Since the book was printed for the enterer the same year (STC 12295), it follows that White did have the work read and approved by one of the bishops' deputies, although there is no evidence in the Registers that this took place. On March 12, 1606 (III, p. 316), William Cotton entered Marston's *The Fawn*, but he was not to print before he received "lawful authoritie." There is no record that Cotton did obtain it, but he published the play in 1606, and it was one of the copyrights the Stationers' Court allowed to be assigned to another stationer after Cotton's death (III, p. 603). Absence of a notation in the Registers that "further authorisation" was acquired is not to be taken to mean that the enterer did not obtain official approval.

Sometimes, however, the fact that the further authority demanded was gained is recorded either in the margin, or immediately beneath the entrance, or in a future entrance. Thus, on March 6, 1581 (II, p. 390), one finds "sub manu Episcopi Londinii" in the margin; on September 17, 1588 (II, p. 499), beneath the entry, "beinge nowe allowed vnder thandes of master Hartwell and master warden coldock"—in this case the Warden had not given his consent before the censor had given his. On July 2, 1610 (III, p. 438), Henry Rocket entered a copy, "Prouyded that it shall neyther bee printed nor published without further and sufficient Aucthority first had for itt." The next day, under July 3, we find "master Rockett brought master John Willsons hand for further Aucthoritye." On September 14, 1610 (III, p. 443), a copy was entered to Boyle provided he received further authority before printing; in the margin, under the date September 24, is: "master Boyle this day showed master Richard Mockettes hand for the further Aucthority." Similar notations will be found in other entrances in which official licensing was requested (III, pp. 539, 541, *passim*).

Entrances of translations that had not yet been made demanded future licensing. On March 29, 1621 (IV, p. 51), Burre entered a translation of a Latin book (which he had already had

licensed in its original by Doctor Goad, March 20) "to be printed in English provided that he bring further authoritie"; beneath the entrance is, "This was afterwards authorised under the hand of Master Doctor Goad." Similarly on June 12, 1621 (IV, p. 56), a book was entered "to bee printed when it is translated into English and further authorised"; in the margin is the memorandum, "This booke was afterwards authorised vnder the hand of Master Tauernor. the 21. of June. following." But a note beneath an entrance of June 26, 1621 (IV, p. 56) reveals that a book entered under the hands of a Warden and Dr. Featly "to be printed in English. if the translacon shalbe approued of" did not receive official approval in its English form: "This Declaration is not to be printed by expresse order from Master Doctor Featlye." The following entrance reveals that the Wardens acting as licensers were also faced with the problem of granting approval to a translation that had not yet come into being, August 24, 1582 (II, p. 414):

Thomas Easte. Licenced to him vnder thandes of master Barker and master Coldocke [Wardens] the seconde parte of the mirror of knight-hood to be translated into Englishe and soe to be printed, condiconally notwithstandinge that when the same is translated yt be brought to them to be pervsed, and yf any thinge be amisse therein to be amended.  
vjd

Simply put, this merely means that "further authority" was to be obtained before printing, since the copy as yet did not exist.

A stationer who entered a book before having the copy officially licensed was, as has been seen, sometimes subsequently unable to obtain an official license. On March 2, 1605 (III, p. 283), Henry Rocket entered *Westward Ho* only "vnder thand of Master Norton warden" and was asked to obtain "further auctoritie before yt be printed." The entry is crossed out, and in the margin occurs the telltale word, "vacat." (The play, however, must have been licensed finally, for it was printed in 1607.) It should be noted that when a stationer entered a work before he had it officially licensed, he was gambling, for if he could not get the censor's consent, he lost the entrance fee of sixpence. This accounts, perhaps, for the fact that in some of these provisional entries no entrance fee is set down.

Sometimes the Wardens, however, did not request the enterer to acquire further authority (i.e., an official license), but indicated

in the entrance that they refused to be held responsible for the publication in the event civil or ecclesiastical authorities disapproved. Thus, on May 7, 1582 (II, p. 411), after an entry in which no hands occur, comes "And the said Edward [White] hath undertaken to beare and discharge all troubles that maie arise for the printinge thereof"; similarly, on November 4, 1583 (II, p. 428), "Receaued of him [Richard Jones] for printinge a thinge . . . which he vndertaketh to print of his own perill . . ."; and on March 8, 1580 (II, p. 366), "Lycenced" to Richard Jones a book "vpon the said Richard Jones his promese to bringe the whole impression thereof into the Hall in case it be disliked . . . [signed] by me Richarde Jones." It must be noted that in these entrances no authorization is declared, and the burden of responsibility for the forthcoming publication apparently rests on the entering stationer's shoulders. That this is exactly what the entrances were meant to convey is brought out in an entry to William Wright, September 7, 1580 (II, p. 377): "Tollerated vnto him but not vnder the wardens handes a booke intituled, etc."

Nevertheless the simple question might be asked: If the Wardens were not responsible for the entrance, who was? Hence, later entrances of this kind are like the following: on August 24, 1614 (III, p. 553), a book is entered under the Senior Warden's hand, "with this caution that if any exceptions be taken he shall stand to the perill thereof himself"; on October 8, 1599 (III, p. 149), a book is entered under the hands of the Wardens, "Provided that yf it Containe any thinge offensive to thEstate of England Then this entrance to be void"; and on October 15, 1599 (III, p. 149), "Entred for his copie vnder the hand of the Wardens (So yt containe nothinge against the State here)." But the attempt of the Wardens to escape responsibility for the publication of books which they allowed to be entered without an official license is best seen in this entrance of September 30, 1597 (III, p. 91):

George Shawe. Entred for his Copie at his owne perill by warraunte from master Warden man the ballad of the tydinges and apparition aforesaid. vjd

"By warraunte from" replaces "vnder the hand of."

But the Wardens also shied from taking the responsibility for certain copies which had been officially licensed. This is seen in the following entrance, March 12, 1615 (III, p. 564):

John Trundle. Entred for his Copie, vnder Master Jacksons hand and by direction from master warden Leake, to be printed at his own perrill without further authoritie A booke called the cold winter. vjd

Note that "by direction from" replaces "under the hand of." A similar instance is found on May 22, 1615 (III, p. 567), when a book is "Entred for his Copie vnder the hand of Master Doctor Nidd" but not under the hand of the Warden; in the margin is the highly significant sentence, "this is entred thus by direction from the Wardens." Such coyness on the part of the Wardens was really meaningless—the entrances were made with the Wardens' cognizance. So one finds a book entered to William Jaggard on December 5, 1608 (III, p. 397), "vnder thandes of Master Etkins and Thwardens," "Provided that yf any question or trouble growe hereof. Then he shall answere and discharge yt at his owne Losse and costes." The Wardens must have ultimately recognized that they could not hide behind the edge of a phrase. They must have realized that their consent to an entry was tantamount to "under the hand of." Their worry as to consequences of entrances in which their and the censor's consent appears shows forth in rather graphic form from 1635 on, when roughly drawn hands appear opposite certain entries of books of religious or political content: hence, dangerous books (IV, pp. 347, 350, 353, 355, 361, 373, 374, 384, 386, 388, *passim*).

On October 30, 1587 (II, p. 477), appears a most interesting entrance of the kind just discussed: "Lycenced to him by the whole consent of Thassistantes the printinge of Billes for pryses at fencinge . . . vnder master warden Coldockes hand. Prouided yat yf there aryse any trouble by this entrance then Purfoote to bear the charges thereof." The Warden consented, the Court consented—yet they could not tell what the future would bring forth: in case of trouble, the enterer was to be the culprit. Such an entrance is revelatory: the guild of stationers was almost autonomous—and the *almost* is what was responsible for the entrances in which the stationer is to print "at his own peril."

The Stationers' Company could also refuse a stationer permission to print a book which had been duly officially licensed. On June 2, 1609 (III, p. 411), John Busby Senior entered under Warden Lownes' hand a pamphlet about the pirates Ward and Dansker, "Provided that yt is not to be printed without further Authoritie." Beneath the entrance is: "Aucthorised to be printed

by master Richard Etkins 12 Junij 1609. And yet he is forbidden to prynt it in Court this day."<sup>56</sup>

An official licenser could refuse to license a copy for a certain stationer and still license it for another. An example begins with a Stationers' Court decision of October, 1586:

Whereas the wardens on monday the 17 day of october 1586. vpon serche of Roger wardes house dyd fynd there in printing a book in verse intytled Englandes albion beinge in english and not authorised to be printed, wch he had ben forbidden to prynte. as well by the .J.L. archb. of Canterburye as also by the Wardens at his own house . . . The said Wardens seised iij heapes of the said Englandes albyon.<sup>57</sup>

Yet on November 7, 1586 (II, p. 458), the following entrance is made in the Register:

Thomas Cadman. Receaued of him for printinge Albions England. vjd Memorandum these twoo copies entred to Cadman are authorised vnder thandes of the Lord Archbishop of Canterbury.

Warner's epic was printed in the same year by George Robinson for Thomas Cadman.

Furthermore, although a book had been entered under the licenser's and the Warden's hands, the former could rescind his approval, thus depriving the stationer of his right to print. The following entrance for January 29, 1620 (III, p. 664), illustrates this:

Master Butter. Entred for his copie vnder the handes of Master Tauernor and Master Swinhowe warden, A booke called, Good newes to Christindome, wherein is Discouered an apparition scene ouer the Desertes in Arabia, together with the rayninge of blood about Rome [no fee]

In the margin, however, is noted "but recalled againe by Master Tauernor the 31th of January, 1619 [20]."

Even the stationer who did obtain a license before printing could fall into trouble. One must never forget, when describing the customs and regulations of the Stationers' Company, that the English government of Shakespeare's day was not always an inveterate limited monarchy. True, it is a byword of historians that the Tudor rulers were masters in tempering autocracy. Nevertheless, any individual acting within his legal or conventional rights could come to grief if what he had done displeased an authority above him, the degree of willfulness being in direct



ratio to the degree of authority. Thus, although the Stationers' Company was seemingly autonomous, each member ever faced the possibility that even though he had had a book licensed by an official censor, received approval for entrance by the Wardens, and printed the book on the basis of these consents—even then, he still could lose the edition he had printed, be thrown into prison, be fined, be deprived of his copyright, could suffer all or any of these punishments, if an authority above the authorities for his entrance so willed it.

The idea of authority above authority is best brought out by some notes left by Sir Henry Herbert, Master of the Revels, whose duty it was to license plays for production, whose suggested changes had to be carried out by the acting companies, and by whose decisions the latter had to abide. His power is shown by a record of June, 1642: he was given a play to license; he charged for licensing it; he destroyed the manuscript of the play: "Received of Mr. Kirke, for a new play which I burnt for the ribaldry and offense that was in it, 2*l*.0.0." In January, 1634, however, Charles I, on the complaint of Endymion Porter, went over Davenant's *The Wits* and allowed certain passages which the Master of the Revels had crossed out. But on another occasion Herbert, himself, evidently appealed to the King, not desiring to rely on his own licensing powers because of the dangerous political nature of the play in hand, Massinger's *The King and the Subject*. Herbert brought the play to Charles. The latter read the play and pointed out the objectionable passages. "At Greenwich the 4 of June, Mr. W. Murray, gave mee power from the king to allowe of the play, and tould me that hee would warrant it." Then, says Herbert, "I allowed the play to bee acted, the reformation most strictly observed, and not otherwise, the 5th of June, 1638."<sup>58</sup> The same idea of authority above authority in the matter of licensing is also brought out in a note written in the Master of the Revels' office book by Herbert's predecessor, Sir John Astley: Item 6 Sept. 1622, for perusing and allowing of a new play called *Osmond the Great Turk*, which Mr Hemmings and Mr Rice affirmed to me that Lord Chamberlain gave order to allow of it because I refused to allow at first, containing 22 leaves and a page. Acted by the King's players . . . 20 s<sup>59</sup>

The official licensers could be taken to task for a book which they had licensed. Hayward's *Henry IV* was entered "vnder the

handes of Master Harsnet and the wardens" on January 9, 1599 (III, p. 134). (The name of Harsnet, chaplain to the Bishop of London, appears frequently in the Registers.) The book appeared in February, 1599. It fell under the displeasure of the authorities. The dedication to Essex was ordered cut out of unsold copies of the first edition, and the entire second edition was seized and burned by the Bishop of London. The author was imprisoned and tried twice. John Wolfe, the publisher, was also tried.<sup>60</sup> Harsnet was terrified. He wrote to Attorney-General Coke:

. . . My poor estate, credit, self, and more than myself, hang upon your gracious countenance, for I have my wife in childbed, and since your messenger has been at my house, she has neither eaten, drunk, nor slept for fear, although I have twenty times read your most gracious letters to her.<sup>61</sup>

The following order of the House of Commons speaks for itself:

de Veneris, 16<sup>o</sup> Ap. 1641

Whereas Mr. Dr. Bray being Chaplaine to the Lords Grace of Canterbury had authority from his Grace to license bookes for the presse and did amongst others license two of Doctor Pocklington's bookes the one called *Altare Christianum* the other *Sunday no Sabbath* for wch he was enjoined to make a sermon of submission and disapprobation in St. Margaret's Church in Westminster wch he hath performed with much ingenuity and candor.

It is therefore thought fitt and so ordered by the Lords Spirituall and Temporall in the high Co[r]t of Parliament assembled that the said Dr. Bray shall (by vertue of this Order) be freed and fully discharged of and from any further trouble touching or concerning this business And that the said Sermon and Recantation shall be forthwith putt in print and published together with the notes drawne out of the two forementoned bookes and publikely read by him after his Sermon.

Jo. Browne,

Cler. Parliamentor.<sup>62</sup>

There are also cases of an author's being severely punished in spite of the fact that his book had been officially licensed. Wither's *Abuses Stript and Whipt* was entered under "thandes of Master Taverner and master Harison Warden" on January 16, 1613 (III, p. 512): nevertheless the poet, as he put it in *The Schollers Purgatory*, "unhappily fell into the displeasure of the state" and was committed to Marshalsea prison where he spent several unhappy months before being rescued by Princess Elizabeth.<sup>63</sup>

The interest here, however, is in what could happen to stationers who had published books that had been perused and allowed by official censors.

On June 1, 1599, the Master and Wardens were called to Croydon and ordered by the Archbishop of Canterbury and the Bishop of London to burn nine indecent or satirical books by Marston, Hall, Marlowe, *et alii*, and all the works of Harvey and Nashe. Seven of the nine were so destroyed in the Hall three days later. Of the nine, six had been entered, and each of these six had been entered under the hand of an official licenser.<sup>64</sup>

On April 15, 1611 (III, p. 457), Sir Walter Raleigh's *History of the World* was entered by Walter Burre under the hands "of master Doctor Overall Deane of Paules and Th' wardens"; it was published in 1614. On January 5, 1615, Chamberlain wrote to Sir Dudley Carleton, "Sir Walter Raleigh's book is called in by the king's commandment for divers exceptions, but especially for being too saucy in censuring princes."<sup>65</sup> On December 22, 1614, the Archbishop of Canterbury had written to his "very Loving friends the Master and Wardens of the Company of Stationers":

After my hartie commendacons I haue received expresse directions from his Matie that the booke latelie published by Sr Walter Rawleigh, nowe prisoner in the Tower, should be suppressed, and not suffered for hereafter to be sould. This is therefore to require in His Maties name that presently you repaire unto the printer of the said booke, as also unto all other Stationrs and bookesellers which haue any of them in their custodie, and that you doe take them in and wth all convenient speed that may bee cause them to be brought to me or to the Lo. Mr of London. And this shalbe yor sufficient warrant in that behalf.<sup>66</sup>

There can be little doubt that Burre must have had almost the whole of his first edition confiscated. He had certainly done everything required before printing—but an authority higher than the Dean of Paul's had intervened. One must note that although the book was suppressed in 1614, Burre still owned copyright, for in 1617 he published two editions, in 1621 one; on December 13, 1622 (IV, p. 87), his widow assigned copyright in the work to others.

Donne's "Paradoxes and Problems" were published after his death by Henry Seile as *Juvenilia*. The latter had entered the work on October 24, 1632 (IV, p. 287), under the hands of Sir Henry Herbert and a Warden, but on November 14, Herbert

was called before the Star Chamber "By the King's command deliuered by the Bishop of London" and was asked "to give account on the same day why he warranted the book of Dr. Dun's Paradoxes to be printed."<sup>87</sup> The censor's authority is overridden, and again a publisher stands to lose the money he paid for the copy, his time, the entire first edition, et cetera. But luckily for Seile, the king must have finally allowed the book—whether because Herbert was able to justify his original approval or because some offensive material was omitted, we do not know. At any rate, two editions of *Juvenilia* appeared in 1633, Herbert's imprimatur being printed after the problems and after the paradoxes—"These eleuen [ten] Paradoxes [Problemes] may bee printed: this fife and twentieth of October, Anno Domini, one thousand six hundred thirty and two Henry Herbert." Ergo, Herbert's original authorization was questioned by authority above him and then sustained. The publisher in this case did not lose.

Certainly, the most conclusive example of what has been stated, that a stationer could run into trouble because of the irregular intervention of authority higher than the necessary authority which had granted the license, is furnished by the publication of Prynne's *Histriomastix*. This book was entered on October 16, 1630 (IV, p. 241), to Michael Sparke "vnder the handes of Master Buckner and Master Harison." Buckner, the King's chaplain, was one of the regular licensers to whom stationers brought their copy for official approval—books are entered under his hand shortly before and after the above date, August 18 and November 16 (IV, pp. 239, 242). *Histriomastix* was published late in 1632, "for M. Sparke." According to Prynne, Buckner "had licensed the sheets as they were printed and had disapproved of only one page, which was then reprinted." Note that Sparke had done everything that was required. What happened? Proceedings against Prynne were instituted in the Court of High Commission and in the Star Chamber. After a year's imprisonment beginning February, 1633, he was sentenced on February 15, and 17, 1634, to be imprisoned the rest of his life, to be fined five thousand pounds, to be expelled from Lincoln's Inn, to be deprived of his degree by the University of Oxford, and to lose both ears in the pillory. Sparke, too, was severely punished. The printing had cost over three hundred pounds, and few copies had been sold. The Stationers' Company deprived him of his copyright; the entrance

of *Histriomastix* is crossed out, and the margin reads, "Croست out by order of Court the first of December 1634." Sparke was also condemned to stand in the pillory and pay a fine of five hundred pounds.<sup>68</sup> Buckner was let off easily. The instigator of the prosecution was Archbishop Laud, a bitter enemy of the author. Neither Charles I nor Attorney-General Noy had thought the book contained anything legally censurable.<sup>69</sup> It does not at all matter for our purposes that Sparke was a Puritan and had had minor difficulties with the government before.<sup>70</sup> The point to be made is that in the case of *Histriomastix*, he had received a license—and then had been grievously punished because of the book which he had published on the basis of this license. But who was Master Buckner and what was a license to the administration of Shakespeare's England? Nevertheless, although the Stationers' Company had for its own sake to cooperate with the government in the matter of Prynne's book, its thoroughgoing awareness of the importance of preserving copyright to an enterer and publisher is indicated in its court order of December, 1634: "By command this day from Mr Attorney Noy the book called *Histrio Mastix* is to be crossed out of the entrance book of copies, which this day accordingly was performed. But the same is to be entered to him again in case it shall be allowed to be sold."<sup>71</sup>

On June 16, 1634 (IV, p. 321), Master Haviland "Entred for his Copy vnder the handes of Master Haywood and Master Aspley warden a booke called *The vniversall Medicine or the Medicinall vertue of the Antimonian Cupp* by John Euans Minister. vjd." The book was published by Haviland in the same year (STC 10587). But what had been satisfactory to his deputy was not satisfactory to Laud. The entrance for June 16 is crossed out, and in the margin appears: "Croست out by order from my Lord of Canterbury." So, though he had gone according to order, Haviland lost his copyright and the right to publish.

Furthermore, even though a first edition which had been properly authorized had not been confiscated, there was no surety for the publisher that his succeeding editions would not be confiscated. Hayward's *Henry IV*, as has been seen, merely suffered elimination of the dedication to the Earl of Essex in its first edition, by order of the Archbishop of Canterbury, but the second edition was confiscated and burned by the Bishop of London. Nicholas Okes entered William Lithgow's *Travels* on February

13, 1614 (III, p. 451), "vnder the handes of master Taverner and master warden ffeild." Okes published editions in 1614, 1616, 1623, and 1632; his son published an edition in 1640. The 1616 edition for some reason or other was, according to Rivington, suppressed.<sup>72</sup>

### III

Now that licensing has been discussed, it is necessary to begin to examine stationer's copyright in the sixteenth and seventeenth centuries. A. W. Pollard wrote, "Once obtained it was considered, by the custom of the Company, to hold good for ever."<sup>73</sup> This same scholar has supplied what is surely one of the best proofs of the above statement:

Just at the beginning of the seventeen years of confusion—from 1693 to the coming in force of the first Copyright Act on 10 April 1710—we have a striking example both of the wide interpretation that could be put on the trade copyright of the old régime and of its vitality even during this period of chaos. As is well known, Sir Roger L'Estrange, after persecuting the booksellers before the Revolution of 1688, had to earn a living as a hack translator for them. In 1693 he had made, for Richard Sare, a new translation of Josephus, and Sare advertised this in the *London Gazette*. But Josephus had been translated 'out of the Latin and French, by Thomas Lodge, Doctor in Physicke,' and the copyright in this translation, which first appeared in 1609, was now owned by eight London booksellers, who in 1676 had caused Lodge's version to be revised with the help of a new French translation and in 1693 had a new edition of this just ready for publication. On 3 April these eight booksellers published, as a bill, an advertisement cautioning the trade against having anything to do with the new version 'it being the Resolution of the Proprietors of the present *English Copy*, to use all lawful Means to vindicate their Right and recover Satisfaction for the Damages they shall sustain by this New Undertaking; they and their Predecessors having been in just and quiet Possession of the same for near One Hundred Years, and having expended above Eight Hundred Pounds in amending their *Translation* by a Learned and Ingenious Hand & in Printing a large Impression newly finish'd, now upon their hands.'

Sare replied the next day: 'Whereas there is published an Advertisement bearing Date April the Third 1693. Menacing an Action against *Richard Sare* for Printing *Sir Roger L'Estrange's Translation of JOSEPHUS*. This is to tell the World, that I am Resolved to go on with it; for otherwise if there should happen to be a Senseless Translation of the Best Author in the World, it would Bar Mankind the Bene-

fit of a Better, in Contradiction to Law, Equity and Common Practice.' Yet despite this vigorous and very reasonable protest L'Estrange's *Josephus* did not appear in 1693 or any of the eight subsequent years, its first edition being published by Sare in 1702 with a preface dated 28 January of that year.<sup>74</sup>

Other evidence could be brought forward for the position that the Stationers' Company regarded copyright, once established by a stationer, as a perpetual right invested in him or any stationer (or assignee) to whom he transferred the copy, but surely further proof is not necessary. One has merely to go to the Registers to find the following sequence throughout: A entering a copy and so establishing copyright, A assigning it to B, B assigning it to C, C assigning it to D—and so on.

Although it has been indicated—sufficiently, I hope—that registration was originally conceived as a record of the Stationers' Company license and of the fee paid for that authorization, it is needless to insist that by 1586 entrance in the Registers was considered by the Company as establishing copyright. To quote from "The Orders Rules and Ordinances" printed in 1682:

by ancient Usage of this Company, when any Book or Copy is duly Entred in the Register Book of this Company, to any Member or Members of this Company, such Person to whom such Entry is made, is, and always hath been reputed and taken to be Proprietor of such Book or Copy, and ought to have the sole Printing thereof . . . . (I, p. 22)

In his *The Schollers Purgatory* (1625?), Wither wrote concerning stationers:

Yea, by the lawes and Orders of their Corporation, they can and do setle vpon the particuler members thereof, a p[er]petuall interest in such Bookes as are Registered by them at their Hall, in their seuerall Names:<sup>75</sup>

The Star Chamber decree of 1586 merely demanded that the printer have his copy "seen and p[er]vsed by the Archbishop of Canterbury and Bishop of London for the tyme beinge or any one of them" (II, p. 810). It added, however, that no stationer shall print anything "contrary to any allowed ordynauce sett Downe for the good governaunce of the Company" (II, p. 810). There is no mention of the Registers. By 1631, however, it is apparent that the authorities outside the Company recognized

entrance as indicating copyright; in an action of the Ecclesiastical Commissioners against certain stationers it is indicated that the latter had printed "books entered at Stationers' Hall to other men."<sup>76</sup> In the second Star Chamber decree regulating printing of 1637, it is explicitly stated that no stationer shall print a book unless it "be first lawfully licenced and authorized onely by such person and persons as are hereafter expressed, and by no other, and shall be also first entred into the Registers Booke of the Company of Stationers . . ." (IV, p. 530). In the "Act for redressing Disorders in Printing," passed by the Long Parliament on June 14, 1643, it was ordered "That no book shall be printed unless the same shall be licensed and entered in the register book of the Company of Stationers, according to ancient custom."<sup>77</sup> By the third decade of the seventeenth century, therefore, it was recognized by the government that there existed in the Hall certain Registers in which both license and ownership could be determined in the case of an individual book.

Since the interest here is only in the customs of the Company in the time of Shakespeare, it is unnecessary to go into the early history of the guild to show how the entry changed from the mere record of a fee (or fine) for a license to print to a record of allowance and copyright. Graham Pollard has shown that before 1588 the Company seems to have conceived of Warden's license and of entrance (establishment of copyright) as separate rights. The entries in the Register recorded the Warden's license, but the payment for the license was not the same as the payment for the entrance. Payment for the entrance was the printed book, and the giving of the printed book completed the establishment of copyright which the act of entrance began. The Clerk recorded the payment of the printed book in a lost White Book, which therefore constituted a record of copyright ownership. "But gradually, perhaps because it was easier for reference, the Register usurped this function of the 'whyte boke': the transition becomes recognized about 1589 in the formula 'entered for his copy'; and the original significance of 'entraunce' merges into the act of entry in the Register."<sup>78</sup>

In 1594 one can discover such phraseology as "Prouided that vf theis twoo copies be entred to any other then this entrance to be void" (II, p. 657); in 1603, "So yt be no other mans copie by former entrance and Aucthorite" (III, p. 233), or, "And all other



copies and bookes wherein Robert Dexter Deceased had Right by entranc[e] in the hall book" (III, p. 248); in 1611, "All the whiche [copies] dyd lately belonge to the sayd master Bysshopp by lawfull and orderly entrances in this Companie" (III, pp. 453-54); in 1625, "All those bookes and Copies and partes of bookes and Copies following, all which Did lately belong to the said master Adams by lawfull and orderly Entrances in this Company" (IV, p. 139).

The words I have italicized in the following decree of the Stationers' Court, December, 1591, also indicate the importance of entrance in the Registers as creating copyright:

The printers of Cambridge to have the choice of printing any books brought back from the Frankfort Fair, the choice to be made within a month after the return, "So alwayes that euerie suche booke within the said monnethe be orderlye allowed and therevpon entred in the Cumpanie of Stacioners for the said Printers of Cambridge or some of them, And that the same beinge donne *the wardens of the said Companie of Stacionars should Restrayne all of theirre Companye to Printe the same, and use all theirre power to that effecte as is used in like cases to freemen in their owne Companie . . .*"<sup>79</sup>

On October 29, 1595, the Court speaks of copies "whiche shall apperteine to the seid Tho to print by force of any entrance made or to be made in this Companie."<sup>80</sup>

On May 3, 1591, the Court settled a copyright controversy between Jones and Dexter by awarding the copy to the latter, "the saide Richarde Iones shall Release vnto him, all his Righte therein, And alsoe then trance thereof for Richarde Iones in the hall booke [November 16, 1590; II, p. 568] to be crossed out."<sup>81</sup> In other words, when a stationer lost his copyright in a copy, that which had established or was evidence of his copyright was deleted.

There can be little or no doubt that all regular trade books, except the lightest ephemerae, printed between 1590 and 1640 were licensed whether or not they were entered in the Stationers' Register. One could support this statement by going through any catalogue of books printed in this period and checking those books that have "seen and allowed" on the title page or an *imprimatur* before or after the text with the notice of these books in the *Short-Title Catalogue* in order to determine whether or not these books were entered. For instance one finds in Hazlitt's *Hand-book*:

The Vnmasking of a feminine Machiavell. By Thomas Andrewe, Gent. Est nobis voluisse satis. Seene and allowed by authority. London Printed by Simon Stafford, and are to be sold by George Loftis ... 1604.

According to *STC* 584, this book was not entered in the Stationers' Register. But this is an extremely laborious method. McKerrow has furnished a better one in an article on Robinson's *Eupolemia*, which has already been cited.<sup>82</sup>

Between 1576 and 1599, Robinson had nineteen of his works published. Every one of these was "perused and allowed" either by an ecclesiastical authority or by the Wardens themselves. Yet of these nineteen, eleven were not entered in the Stationers' Register. Of the six works published between 1587 and 1599, all licensed by the ecclesiastical censors, only two were entered. "In short," remarks McKerrow, "the entries in the Stationers' Register afford no evidence as to the working of the licensing regulations, which were probably much more carefully observed than we might infer from a consideration of the entries alone."<sup>83</sup>

It is clear that although to the Stationers' Company copyright without authorization was meaningless since the book could not be printed, copyright was yet conceived of as an entity in itself, nonfunctional without a license but nevertheless a right of ownership implicit in entrance. In other words, although an enterer had to obtain authorization after the entrance, he already enjoyed stationer's copyright by the fact of entrance. On June 17, 1605 (III, p. 293), for John Trundle one finds:

yf he gett sufficient Authortie. for. The copy of A letter sent . . . And shewe his authority to the wardens Then yt is to be entred for his copy, Or yf any other bringe the Authority. yet it is to be the said John Trundelles copy [no fee]

Moreover copyright in a book for which the enterer was still to acquire authority was transferable. On August 1, 1603 (III, p. 243), John Hardy entered a copy and paid the fee of sixpence. The condition "Provided that yt be licensed" appears. On August 9, he assigned this copy to Pavier, "The seid Thomas pavier to haue the same in the lyke maner that it is entred to John hardy" (III, p. 244). Again, on March 7, 1597 (III, p. 81), one reads:

Thomas Millington. Entred for his copie a booke Called Jack of Newbery So that he haue yt lafully AuthORIZED. vjd

For March 25 (III, p. 84):

Humfrey Lownes. Assigned ouer to hym for his copie from Thomas myllington A booke called Jacke of newbery: with this condicon that yt be Laufully Aucthorised which booke was Entred for the said Thomas myllington 7. marcij 1596 [7] vpon the same Condicon. vjd "Provided that he get further authority" did not, therefore, keep a stationer from establishing copyright by the entrance in which this condition occurred.

An attempt must now be made to account for a fact that has greatly puzzled students of this period: the nonentrance of approximately a third of the books that were published.<sup>84</sup>

It must be kept in mind that by 1586 entrance in the Registers was already conceived of by the Stationers' Company as establishing copyright. One must also remember, however, that entrance in the Registers had been conceived of primarily as a record of license or authorization. The latter significance of entry seems to be intended in the Court order of June 3, 1588, concerning official licensers:

Any one of these settinge his hand to a copie, to be suffycient Warrant for thallowance of the same to entringe into the hall booke & so to be proceded wthall to printinge.<sup>85</sup>

The former meaning appears in the following document of 1585-86, signed by ten of the most important stationers of the Company and addressed to the Privy Council:

In moste humble wise sheweth vnto your honors: That where a booke called the Resolution was firste allowed to be printed by my Lord. Archbishop of Canterbury his grace, and after accordinge to the Charter of our Companie vnder the greate Seale of Englande entred in our hall boke to be the Copeye of . . . (II, p. 793)

The fact that entrance had these meanings before 1588 as well as after does not, however, answer the twofold question here raised: Was entrance between 1590 and 1623 conceived as a necessity before publication? Was entrance in this period considered a prerequisite to the establishment of copyright? E. K. Chambers writes: ". . . it is certain that, under the ordinances of the Company, publication without entrance exposed the stationer to a fine, and it is therefore probable that entrance was also necessary to secure copyright."<sup>86</sup> This is a widespread opinion. But note the word "otherwise" in the Star Chamber decree of 1637 forbidding

the printing or importation of books "which the said Company of Stationers, or any other person or persons haue, or shall [have the right to print] by any Letters Patents, Order, or Entrance in their Register book, or otherwise . . ." (IV, p. 531).<sup>87</sup>

Although there is sufficient evidence that stationers were fined for not obtaining licenses in Register B's "fynes for breakinge of orders" for 1576-1605 (II, pp. 821-64), proof that stationers were absolutely required to enter their copies in this period is not to be had. One finds among the fines for lack of license in Register B but five examples which indicate that entrance as well as authorization was demanded.

a) August 2, 1596 (II, p. 826): "Yt is ordered that John hardye shall presently pay x s for a fine for printinge a booke of master Burtons without aucthority and entrance also he is forbidden to sell the booke till it be Aucthorized. . . ."

b) March 7, 1597 (II, p. 826): "Thomas millington. is fined ijs vjd for printinge A booke before yt was Aucthorised and entred. . . ."

c) April 2, 1599 (II, p. 829): "Adam Islip. Receaued of him for printinge the Fountaine of fictions without entrance. ijs."

d) September or October, 1602 (II, p. 835): "Edward Aldee. Yt is ordered that he shall pay for a fine for printinge a booke without entrance Contrary to thorders. vjs viijd." "Thomas payver. Yt is ordered that he shall pay for a fine for causinge Edward aldee to print the same book contrary to order. xiijs iiijd." "Master Burby. Yt is ordered that he shall paye for A fine for dealing in the said booke Contrary to order iijs iiijd."

e) December 5, 1603 (II, p. 837): "master Linge John Smithick John Browne. Yt is ordered that they shall pay x s A pece for their fines for printinge a booke called the wonderfull yere without Aucthoritie or entrance. contrary to thordonnances for pryntinge."

Islip's fine and the Allde-Pavier-Burby fines (for printing, publishing, and selling the same book) are the only fines for not entering in thirty years<sup>88</sup>—although it is known that approximately a third of the books published in this period were not entered. In the other three examples above, lack of entrance is coupled with lack of authorization—and entrance, we must recognize, entailed at least authorization by the Wardens. In all the other cases wherein a stationer was fined, according to Register B, for not having a license (authority, allowance, et cetera), lack of entrance is not mentioned. And it should be noted particularly

that although Hardy was fined for printing without authority and entrance, it is made plain that all he required for future sale of the book was authorization.

Further evidence may be found in the Court Records for 1576-1601. On May 12, 1594, Edward White was required by the Court to pay five shillings "for printing a ballad of eatinge of a sheepe without License contrary to thordonances."<sup>89</sup> On June 28, 1595, Andrew Wise was fined forty shillings for "pritinge [*sic*] mr Playfordes sermon twyce without auctoritie, contrarie to the decrees of the highe courte of starre chamber, and the ordinaunces of this companie."<sup>90</sup> Before Wise printed the sermon again in 1596 (*STC* 20015), he entered it "vnder thandes of bothe the wardens" (III, p. 64). In neither of these cases is the offending stationer required to enter—he is merely ordered to license.

In 1597, however, Edward Alde was in trouble for printing "a popishe Confession . . . disorderlie without auctoritie lycence and entraunce."<sup>91</sup> Greg records that the Clerk had at first written "or entraunce" and then deleted the "or" to substitute "and." This suggests that to the Clerk at the moment of writing all three terms (authority, license, entrance) were synonymous.

The later court records have not been printed, but Siebert has given some excerpts, as for November 12, 1621: "It is ordered that Nathaniel Butter for printing Two letters from the . . . to the ffrench king without entrance shall paie for a fine . . ." But on the same page the same phenomenon appears that was seen in Register B: lack of entrance is coupled with failure to license. A minute for October 8, 1621, begins, "Whereas W. Aldee hath latelie imprinted divers bookes without lycence or entrance . . ."<sup>92</sup> That Butter's fine was really for not having his copy licensed before printing is surely indicated.

On March 1, 1602, the Court decreed:

Ballades. yt is ordered that all that betwene this and [the] next court day bringe not in their ballades to be entred accordinge to order. shall lose the same, And that the seid ballades shalbe disposed accordinge to the discretion of the mr Wardens & Assistentes.<sup>93</sup>

The Wardens, in short, threatened to deprive those stationers of copyright who did not bring the ballads (which they had printed or were to print) to be entered in the Hall Book. (One must remember that ballads and similar materials were usually licensed

not by the official licensers but by the Wardens; if a ballad was not entered, the chances were a hundred to one against its being licensed at all.) Yet between March 1 and the next recorded Court day, March 26, not a single ballad entry was made—nor was a single ballad entered in the succeeding months of April, May, and June. It is impossible to refrain from concluding that the stationers as a whole did not consider entrance as a necessary step before publication. It will be interesting to discover the reason.

After 1586 every book which the Wardens allowed must normally have been entered in the Registers. The Wardens would want a record of the books they had allowed and the name of the official licenser if the copy had been allowed previously. Furthermore, by means of entrance, they could set down under what conditions the allowance had been granted. The Clerk would want to know whence the sixpence fee came—and of course he would compose the entrance, with title and authorization, according to precedent. The stationer would want the book entered because entrance supplied the strongest kind of evidence for his copyright.

It must be recalled, however, that before 1586 the bulk of licensing appears to have been done by the Wardens alone. The entrance read "Received of — for his license for printing a book entitled —. vjd." What the stationer had to have was the license. Entrance was a record of this license. After the Star Chamber decree of 1586 the responsibility for licensing, except apparently of ballads and other ephemerae, was assumed by censors outside the Company. The decree said nothing about the necessity of obtaining the Wardens' license as well as the bishops'.

What compulsion then, as far as licensing was involved, was there in 1590–1640 for a stationer who had already had his copy officially licensed to bring his copy to the Hall, have it perused by the Wardens, and pay sixpence—without which three conditions entrance was not possible? Before a copy could be entered, in short, the stationer had to have a copy already allowed, allowed by a lower authority.

The function of the Register had changed. It was no longer only a record of license; it was also a record of copyright. The great compulsion for entrance after 1586 must have been the desire to establish copyright. For his sixpence the stationer who

had already procured an official license received from the guild in the act of entrance recognition that he owned copyright in the work. For his sixpence the stationer who had no official license received both license and copyright in the act of entrance.

But the Wardens did continue to license after 1586, and entrance was still a record of this license. Even when the copy was already licensed by a bishop's chaplain, it continued to be entered under the hands of the Wardens. Entrance and licensing by the officers of the Company were synonymous. Hence it is that the Stationers' Company when dealing with cases of printing without license, and therefore without entrance which would follow Company license, mentions only the necessity of allowance. Hence it is that though the Court fines a stationer for nonauthorization and nonentrance, it only requires him to obtain authorization. Hence it is that the Clerk (or the officers) sometimes uses "and" and sometimes "or," for since either entrance or a censor's allowance represented sufficient authority, either would do. And hence it is, finally, that the printers of ballads were ordered to enter their broadsides—one could not bother Doctors of Divinity with such stuff, and yet it had to be licensed by some means—entrance would bring with it reading and approval by the Wardens. Every time the guild is found insisting on entrance, one can be sure that it is insisting on license. Probably in this period there was never an ordinance which made entrance necessary. Licensing is known to have been necessary. Stationers were not fined for nonentrance; they were fined for lack of license. Scholars who hold to the opinion that books which were published without entrance were "disorderly printed" must explain why, except for at most five or six instances between 1586 and 1640, the Master, Senior Warden, and Junior Warden never entered a book during their year in office—although they continued to publish during that year.

Although it has been indicated that entrance was not an absolute requirement before publication, the question of why fully a third of the books published in Shakespeare's day were not entered has still not been completely answered. Entrance did establish copyright. Can it be that a stationer who published books without entrance did not own copyright? A. W. Pollard said, "Unless he entered the book on the Register of the Stationers' Company he could claim no copyright in it . . . ."<sup>94</sup>

In 1620, the stationer John Bill, in writing of Bishop's publication of Fulke's so-called *Answer to the Rhemish Testament*, entered December 9, 1588 (II, p. 510), says:

he [Bishop] had ye printing of yat copie to him and his Assignes. and this appeares by witnesses as also by ye Registry of ye Stationers hall where this was entred before ye master and wardens of ye Stationers at a Court the[n] holden as all copies which are bought by Stationers are And this entry in ye hall booke is the commun and strongest assurance yat Stationers haue, for all their copies. which is the greatest parte of their Estates. (III, p. 39)

Note that Bill does not say that entrance was the *only* assurance of copyright; it was the *best* assurance. One certainly cannot say that in Shakespeare's time a state of anarchy existed in which books that had not been entered were pirated day after day on all sides—and yet this is the logical conclusion to the assumption that a stationer did not enjoy legal copyright if he had not entered the book. There is no evidence that this anarchy existed. The answer to the mystery of why some books were entered and some books were not lies in the fact that it was the age-old custom of the Company to consider publication as establishing copyright. This explains the nonentrance of so many books and the fact that there is no evidence that stationers who did not enter copies were risking loss of ownership in books which they had not entered. What has just been written is implicit in the following entrance of March 5, 1599 (III, p. 140):

Valentine Symes. Entred for his copie in full Court holden this day. Seauen sermons . . . by Lewes Thomas

Alowed vnder the handes of Master Barlowe. And the wardens handes beinge to yt. vjd

This entrance is vppon Condycon that none of these sermons be printed alredy

It is not difficult to prove this contention that the Stationers' Company recognized ownership of copyright solely dependent on publication. In the Registers one will find many examples of the assignment by a publisher of his copyright in a book which he had not entered.

Before a discussion of such assignments, mention must be made of the wording of assignments in general. It has been maintained that stationers were fearful of entering bad quartos or for certain reasons (never expressed) were unable to do so.



Since it has also been maintained that copyright could not exist without entrance, it follows that stationers who had not entered bad quartos could not assign the copyrights in these plays. However, in the Registers were to be found assignments of such unentered plays. Greg freed himself of the predicament thus:

It sometimes happened that a publisher, who had omitted—as was not uncommon—to register a particular book as his 'copy,' nevertheless subsequently made it over to another stationer by means of a formal entry in the Register. This gives rise to a rather nice question as to the right of the latter in the 'copy.' It might plausibly be argued that no person could transfer to another a greater right than he himself possessed, and that consequently the entry would have been inoperative. Nevertheless, if we look closely at the form of these so-called transfers or assignments, I think we shall conclude that such a view would be mistaken. Take, for example, the following entry, which includes the earliest appearance of two of the plays mentioned: '22. Januarij [1606/7] . . . Master Linge—Entred for his copies by direcccon of A Court and with consent of Master Burby vnder his handwrytinge These iij copies. viz. Romeo and Iuliett. Loues Labour Loste. The taminge of A Shrewe—xviij. Here formally there is no assignment at all: Linge registers his ownership of the 'copy,' and the Court of Assistants take note of the fact that Burby surrenders whatever rights in the same he may or may not possess. Burby's renunciation facilitates Linge's entry; it is upon the latter alone that Linge's rights, whatever they may be, rest.<sup>95</sup>

Nevertheless Greg's position here is untenable. The example he cites is a normal assignment of copyright by one stationer to another. "By the consent of" or "by the assent of" were used interchangeably by the Clerk for "by assignment from." The following entries prove this sufficiently:

a) June 26, 1590 (II, p. 553): Thomas Gosson. Alowed vnto him for his copies by consent of Thomas Orwyn: those ffoure bookes whiche by consent of mistres Judson were alowed to the said Thomas Orwyn as apperethe in this booke the first of June last The which the said Thomas orwin dothe assigne and sett over vnto the sayd Thomas Gosson:

b) April 3, 1609 (III, p. 404): William Hall Thomas Havilond. Entred for their Copyes in full Courte holden this day, by order of the same Courte these ffowre Copyes by assent of Richard Braddocke whose copyes they were . . .

c) July 4, 1609 (III, p. 414): John Budge. Entred for his Copyes by consente of Helen ffyrbrand widow late wyfe of William ffyrbrand . . . .

October 12, 1609 (III, p. 419): Thomas Archer. Assigned ouer vnto him from Helen ffyrbrand widowe . . . [3 items] whiche were william ffayrbrandes copies . . . .

d) November 5, 1604 (III, p. 274): Master Matthue Lownes. Entred for his copies by consent of Master Waterson [whose copies they had been] and a Court holden this day. These Eight Copies folowinge . . . .

e) November 2, 1614 (III, p. 556): Arthur Johnson. Entred for his coppies vnder the handes of both the wardens and by consent of master Macham all the right the said Macham hath in the [17] Cop[p]ies following being all of them master Doctor Halle. his workes . . . .

—To return to the position held in this book that the Stationers' Company recognized the publisher's copyright in a work which he had not entered and allowed him to transfer such a copyright. The examples are confined to a few plays:

a) On February 9, 1596 (III, p. 58), Widow Woodcocke assigned "all and euery bookes and partes of bookes whatsoeuer" of her dead husband to Lynlay—no individual titles are given. On June 26, 1600 (III, p. 165), the Master and Senior Warden "consented" to the entrance of the dead Linlay's copies to his partner, Flasket. Among the titles was *The Tragedy of Dido* by Marlowe and Nashe. The play was published in 1594, "for T. Woodcocke," without entrance.

b) On September 17, 1618 (III, p. 633), the widow of William Jones assigned the copyright of *Mucedorus* to John Wright. This was the first appearance of the play in the Stationers' Registers, although Jones had published at least six editions between 1598 and 1615 (*STC* 18230-35).

c) On April 19, 1610 (III, p. 431), Valentine Simmes assigned the copyright of Dekker's *The Shoemaker's Holiday* to John Wright. Simmes had published the play in 1600, without entrance.

d) On September 2, 1621 (IV, p. 58), John Trundle assigned two copies to Thomas Dewe: Cooke's *Greenes Tu Quoque* and Middleton and Rowley's *A Fair Quarrel*. Neither of these was entered; the first was printed "for Iohn Trundle" in 1614, and the second for "I.T." in 1617.

e) On February 10, 1631 (IV, p. 248), Thomas Archer assigned six copies to Hugh Perry. Among them were three plays the names of

which here appear for the first time in the Registers: (1) *The Roaring Girl*, published "For Thomas Archer," 1611; (2) *The White Devil*, "N.O. for Thomas Archer" in 1612; (3) *The Insatiate Countess*, published in 1613 and 1616 by Archer.

f) On September 25, 1637 (IV, p. 394), John Grove assigned Shirley's *The Wedding* to William Leake, Jr. Grove had published the play without entrance in 1629. In the same assignment were included three plays which had been entered by Grove.

g) On August 8, 1634 (IV, p. 324), Walkley assigned his rights to Massinger's *The Picture* to John Waterson. Walkley had published the play earlier in the year without entrance.

If, then, many books were published without entrance (the publisher possessing copyright by virtue of publication alone), either the Wardens were taking a risk when they allowed a stationer to establish copyright by entrance, for the book might already have been published by another stationer who had not entered it, or the Wardens were taking a risk when they allowed a stationer or his assignee to assign copyright in a book which had not been entered. In this latter case, another stationer might claim that the assigner was lying and show evidence that he, the second stationer, had published the book; or a second stationer might claim half the rights by showing that he had been a partner in the original publication.

Because even before 1586 the Registers were not a complete record of the ownership of copyrights, the officers of the Company solved the problem of whether to grant complete copyright by entry by indicating that an entrance was to be void if it was later discovered that the enterer was infringing on copyright previously established, or by indicating that an assignment was not a complete transfer of rights if the assigner was disposing of a copyright not his or not completely his. Therefore in or after many entrances one finds the Latin phrase *salvo jure cuiuscunque* or its English equivalent "reserving any man's right" or variations expressing the same conditions. A few of the many examples are given:<sup>96</sup>

#### BEFORE 1586

a) *Entrance*. December 7, 1584 (II, p. 438): "Receaved of him for his licence to printe A booke of Cookerye, Provided alwaie that yf yt belonge alreadye to anie other man or be collected out of anie book already extante in printe in English That then this licence to be voyd."

*b) Assignment.* January 15, 1582 (II, p. 405): John Charlewood received a license to print forty-three copies which had belonged to the late Sampson Awdeley, "Alwaies Provided That yf it be founde that anie other hath righte to printe anie of theis Copies, That then this his lycence as touchinge euerie suche of those Copies soe belonginge to anie other shalbe void and of none effecte."

#### AFTER 1586

*a) Entrance.* (1) June 21, 1592 (II, p. 614): Richard Field entered *the Ffrenche Alphabet*, "Provided that if this booke belonge to any partie by force of anie former entrance or Righte whatsoever, That then this enteraunce to be voide." (2) May 31, 1592 (II, p. 613): Thomas Nelson entered "The pathwaie to knowledge, teaching the perfect worke and practise of Arethmetick . . . set forth by Nicholaus Peters De Deventer . . . Provided that yf any person hath any interest to this booke by any former entrance or right, that then the said Thomas Nelson shall stand to the order of this company concerninge this booke." (3) January 14, 1595 (II, p. 669): A ballad was entered to Creede "vppon condicon that yt apperteyne to noe other man." (4) August 15, 1598 (III, p. 124): Jones entered *The Blind Beggar of Alexandria*, "vppon Condicon thatt yt belonge to noe other man." (5) September 16, 1624 (IV, p. 123): Ralph Rounthwaite entered Farnaby's *Phrases Oratoriae Elegantiores*, "The right being reserued of any particular man of this Company." (6) August 29, 1631 (IV, p. 259): Benjamin Fisher entered Gervase Markham's *The King's Highway*, "reseruving euery mans right." (7) September 26, 1631 (IV, p. 261): Hebb entered "the Benefitt that Christians receiue by Jesus Christ crucified," "reserving euery mans right." (8) December 30, 1637 (IV, p. 402): Francis Eglesfield entered "The Art of Dialling" by Samuel Foster of Gresham College, "saluo iure cuiuscunque."

*b) Assignment.* (1) June 1, 1590 (II, p. 549): "Thomas Orwin. Allowed vnto him for his copies by consent of mistres Judson to whose Late husband the same are affirmed to haue belonged. these ffoure books ensuyng vppon condicon that none other person or persons haue an Interest to any of them . . ." (2) April 10, 1592 (II, p. 608): William Wright and Thomas Scarlet assigned four copies to Thomas Man, "Provyded Alwaies that if it be found that if any person hath a former Right to anye of these books, (other then the said w. wright Thomas Scarlet and John Wolf). That then the entrance shall not [be] preiudicall to any suche persons lafull clayme and Right." (3) May 31, 1594 (II, p. 651): "James Robertes. Entred for his copies by order of Court Certens Copies whiche were John Charlewoodes, Saluo Iure Cuiuscunque . . . viz. [43 titles] . . . Provyded Alwayes and yt is

ordered that this entrance of these Copies to the said James Robertes shall not be hurtfull to any other mans Right to the same or any of them." (4) October 30, 1595 (III, p. 51):

John Busby. Entred for his copies by assignement from Elizabeth wynnyngton wydowe of John Wynnyngton Staconer Deceased Three copies ensuyng. supposed to haue belonged to the said John wynnyngton. viz. . . .

Provyded alwaies that yf yt shall appere that these copies did apperteyne to any other man and not to the said Wynnyngton That then the said John Busby shall haue no Interest to them or any of them by force of this entrance.

(5) August 13, 1599 (III, p. 146): "William White. Entred for his copies (*saluo Jure cuiuscunque*) by assignement from Abell Jeffes"; among the five titles are "The Spanishe tragedie" and Peele's "Edward Longshankes." (6) June 17, 1609 (III, p. 413): Thomas East's widow assigned twenty-four of her late husband's copies to Thomas Snodham, "*Saluo jure cuiuscunque*." (7) October 12, 1609 (III, p. 419): Widow Ferbrand assigned some copies which were her late husband's to Thomas Archer, "Provided that this entrance shalbe voyd yf any other man haue right to any of these copies." (8) December 22, 1610 (III, p. 450): Widow East assigned some more of her late husband's copies to John Browne, "Provided that yf any question or clayme be made for any of these Copyes, That then the sayd John Browne shall therein stand to the order of the mayster, wardens, and Assistentes or the more part of them." (9) June 1, 1629 (IV, p. 212): Elizabeth Legge, widow of the Cambridge stationer Cantrell Legge, assigned her husband's copies to Master Boler, "*Saluis Juribus cuiuscunque presertim. Academiae Cantabrigiaensis*." (10) Augustis 12, 1635 (IV, pp. 344-45): "Entred . . . by order of a full Court" to Benjamin Fisher and Widow Man, "All the Copies and partes of Copies lately belonging vnto Master Thomas Man Paul Man and Jonah Man hereafter expressed *saluo Jure Cuiuscunque*."

Moreover, the fact that the Hall book was not a complete record of copyrights probably prompted the Wardens sometimes to use the phrase "Together with his [or her] estate in all other copies not here expressed" when a stationer's widow assigned her late husband's copies to another member of the Company (see IV, pp. 213, 216, 325).

#### IV

The Registers, in the evolution of entrance as an indication of ownership of copyright, came also, as has already been observed, to be a record of the assignment or selling of copies (i.e., copyrights). Assignment could occur before as well as after publica-

tion. The selling of copyrights—singly, in small groups, and in large groups—represents one of the most interesting phases of publication 1590-1640, but it is one which has not received enough attention.<sup>97</sup> Members of the guild certainly recognized it as an important source of profit. On May 29, 1635 (IV, p. 420), Widow Hawkins assigned to Mead and Meredith twenty-five copies. On the following January 24 (IV, p. 452), the latter two stationers assigned these twenty-five copies to Master William Leake. Mead seems to have been only a bookseller, for no book has been found bearing his name in the imprint.<sup>98</sup> Plomer has this to say of another stationer:

Dainty (Thomas), bookseller in London; Parish of St. Michael in the Querne, 1623-52. Took up his freedom October 6th, 1623, the earliest entry in the Register being on April 12th, 1639; but he published Martin Billingsley's *Coppie Booke* in 1637. No other book is known to have been published by him, nor has any other book been found bearing his name, but there are many entries in the Stationers' Registers of this period showing that he had large dealings in books. For example, on November 3rd 1647, he transferred fourteen copies under a bill of sale to the widow of Christopher Meredith, copies which had formerly belonged to Mr. Milbourne deceased, presumably Robert Milborne . . . .<sup>99</sup>

It seems, therefore, that Mead and Dainty, among their other activities, were dealers in copyright, buying with no intention of publishing and selling at a profit.

Whether a chance for profit or some other cause motivated, the Registers are full of quick sales—assignment coming shortly after entrance. Sometimes the assignment comes in the entry immediately succeeding the original entrance. There is really nothing suspicious, as A. W. Pollard and others have thought, in the simultaneous entry and transfer on the same day of the bad quarto of *The Merry Wives of Windsor*.<sup>100</sup> For instance, on March 26, 1583 (II, p. 422) are found the following contingent entries—Barker was Senior Warden at the time:

master barker master newbery. Receaved of them for their lycence to printe A booke entituled. The Duties of cunstables Borsholders. Tythingemen, churchwardens and such other lowe mynysters of the peace.  
vjd

master newbery master myddleton. And after by master barkers consent. the said booke is allowed to master newbery and master middleton and yat by the consent of master Tottell

On April 25, 1627 (IV, p. 177), a parallel case is to be found:

John Spencer. Entred for his Copie vnder the handes of Master Knight warden A booke called The History intituled the Mad pranckes of Robin Goodfellow. vjd

francis Grove. Assigned over to him by John Spencer and vnder the hand of Master Knight warden All the estate right title and interest which he had or hath in the Copie hereafter mencioned vizt. The History of the Mad pranckes of Robin Goodfellow. vjd

John Spencer must have been a thoroughly respectable bookseller, for on the founding of Sion College in 1630, he was appointed Clerk to the College and sub-Librarian. He continued in his trade, however. In 1635 he published an edition of Middleton's *A Mad World My Masters* and the Oxford play *Bellum Grammaticale*, to which he prefixed a Latin preface.<sup>101</sup> The point I am making is that there was nothing remarkable in a stationer's entering a book and selling the copyright on the same day.<sup>102</sup>

There are many other examples of assignment soon after a book had been entered for the first time. A few are given: (a) January 9-January 13, 1581 (II, p. 386); (b) April 24-May 3, 1609 (III, pp. 407-8); (c) on November 15, 1624 (IV, p. 128), Matthew Lownes, then Senior Warden, entered Bacon's *Apo-phthegmes owld and new* and on November 20, two entries later, he assigned it to Mistress Barret and Master Whitecar, who published it the next year (STC 1115); (d) April 22-April 27, 1635 (IV, pp. 337-38); (e) April 6-April 11, 1636 (IV, pp. 359-60); and (f) June 13-June 15, 1638 (IV, p. 422).

There are also many examples of a stationer's disposing of all or part of the copy or copies which had been assigned to him in the immediately preceding entrance: (a) September 3, 1599 (III, p. 147) "in full Court holden this Day" in both entries; (b) June 16, 1609 (III, p. 412); (c) April 21, 1626 (IV, p. 159); (d) January 15, 1629 (IV, p. 207); and (e) October 8, 1639 (IV, p. 482).

Sometimes the original enterer sold his copyright soon after first entrance but retained printing rights, as on November 7, 1620 (IV, p. 42):

Barnard Alsop. Entred for his copie vnder the handes of Master Doctor Cluet, and Master Lownes warden A Booke called, An exposition upon the .124. 125. 126. psalmes. by Thomas Stint. vjd and December 15, 1620 (IV, p. 45):

William Lee. Assigned ouer vnto him by Barnard Alsop and by Consent of Master Lownes warden, all the right the said Barnard Alsop hath in this Copie followinge viz. vjd

An Exposition on the 124. 125. 126. psalmes by Thomas Stint, Prouided that he the said Barnard shall haue the workmanship of it Doing it as another man will

Since it has been seen that valid copyright could be established without entrance, it might be guessed that assignments also were made without being recorded in the Registers and that these assignments also were recognized by the Stationers' Company. This hypothesis is confirmed by such an entrance as the following for August 9, 1596 (III, p. 68):

Thomas Creede. Entred for his copie in full Court holden this Day. These ffyve Copies which were assigned from William wright to Thomas Scarlet and from Thomas Scarlet to the said Thomas Creede

....

There is no previous notice in the Registers of the assignment of Wright to Scarlet. By examining the Registers, one will find many cases wherein a book which had been entered by A is assigned by B to C. An intermediate assignment from A to B which was not recorded in the Registers must be postulated. If, moreover, one finds A entering a book and B's name only appearing in the imprint of more than one edition, the same postulate must be made.<sup>108</sup>

## V

In order to illuminate the first occurrence of Shakespeare's *Henry V* in the Registers, I would like to establish that there was nothing abnormal in a registered assignment which (a) assigned a number of copies but was subscribed by only one Warden; (b) did not name the party or parties assigning; and (c) did not indicate that the copies came from more than one assigner. But first it will be necessary to discuss the procedure behind an entrance-assignment.

The two parties to the transfer, the money having been paid or some agreement as to payment having been reached, would



have a bill of sale drawn up, containing (a) the title or titles being transferred; (b) the assignee's name; and (c) the assigner's signature or seal, representing his legal consent to the assignment. This bill of sale in the case of the assignment of one book seems to have been brought directly to the Clerk—but even for a one book assignment, the Warden's consent is frequently noted. Usually in the transfer of more than two books, the bill of sale was brought to one Warden, or to both Wardens, or before a Court. The officers of the Company signified their consent to the assignment by subscribing their names to the bill of sale. The assignment would then be recorded in the Register by the Clerk directly from the bill of sale. Evidence for assuming this series of steps is ready to hand. The bill of sale is sometimes referred to in the entry:

Master Pavier. Entred for his Copies these 3 following by the Consent of master Braddocke as appeareth by a bill of sale vnder his hand and seale, and by order of a full Court which said Copies were formerly entred to Robert Robinson . . . (III, p. 564)

Nicholas Bourne. Assigned vnto the said Nicholas Bourne (at a full Court holden this day) by Kathern Rockett widowe as appeared by an assignement vnder her hand and seale, these 15 Copies that were heretofore entred to her husband Henrye Rockett deceased . . . (III, p. 586)<sup>104</sup>

That the bill of sale was subscribed by the officers of the Company before being brought to the Clerk is likewise clear:

Master Allot. Memorandum master Blount assigned ouer vnto him all his estate and right in the Copies hereafter mencioned as appeareth by a note vnder master Blountes hand, Dated the 26 of June 1630 in the time of master Warden Purfoote, his hand is subscribed therevnto . . . (IV, p. 243)

Master Sparke. Assigned ouer vnto him by vertue of a Note vnder the hand and seale of Master Turner and subscribed by master Rothwell warden All his estate right Title and interest in these 2 bookes . . . (IV, p. 334)

Master Badger. Assigned ouer vnto him by vertue of a Note vnder the hand and seale of Mistres Redmere widdow. and subscribed by both the Wardens All her estate right Title and interest in the [8] Copies hereafter mencioned which were the Copies of Richard Redmer her late husband deceased . . . Together with her estate in all other Copies not here expressed. (IV, p. 325)

Master Stansby. Entred for his Copies by vertue of a noate vnder the hand of Walter Burre and master Mathew Lownes warden bearing date the 10th of June 1621 as thereby appeareth these Copies [6 plays of Jonson] following . . . (IV, p. 342)

Master Haviland and John Wright. Entred for their Copies by vertue of a Note vnder the hands and Seales of henry and Moses Bell and subscribed by Master Mead warden all the Estate Right Title and Interest which the said Henry and Moses haue in these [17] Copies and partes of Copies following . . . (IV, p. 434)

The Court of the Stationers' Company, the highest judiciary body within the guild, was accustomed to passing on large assignments of copies. Even a casual perusal of the Registers indicates this function. For instance, on July 2, 1602 (III, p. 210), we find recorded:

Master Leake. Entred for his copies these 13 copies or bookes folowing which Did apperteine to master Cawood Deceased . . . Entred for master leake by Direction from the wardens vnder their handes: after yt had ben agreed vppon at the ij Last courtes.

On November 5, 1604 (III, p. 274):

Master Matthue Lownes. Entred for his copies by consent of Master Waterson [the assigner] and A Court holden this day. These Eight Copies folowinge . . .

Nevertheless, one finds not a few large transfers in which the consent of the Court was not had; instead the Master and Wardens, or the Wardens, or one Warden, had granted the necessary permission. Large assignment-entrances in which neither the Court nor the Wardens are named are also found. The Master and Wardens granted permission for this entry of March 2, 1618 (III, p. 621):

Master Snodham. Assigned ouer vnto him by master Welbey with Consente of the master and wardens all his Right in theis [43] Copies followinge . . .

Both Wardens sometimes granted permission, as on November 2, 1614 (III, p. 556):

Arthur Johnson. Entred for his coppies vnder the handes of both the wardens and by consent of master Macham all the right the said Macham hath in the [17] Copp[i]es following being all of them master Doctor Halle. his workes . . .

See also November 19, 1607 (III, p. 365); June 17, 1609 (III, p. 413); December 22, 1610 (III, p. 450); December 13, 1620 (IV, p. 44); October 12, 1629 (IV, p. 220).

One Warden's permission was given for these entries:

April 28, 1623 (IV, p. 95):

Beniamin ffisher. Assigned ouer vnto him by John White with the Consent of master Pauier warden vnder his hand theis seaven bookes or copies following which were the Copies of William White his father . . . .

November 9, 1633 (IV, p. 308):

Master Richard Cotes. Assigned ouer vnto him by vertue of a Note vnder the hand and Seale of ffrancis Grove and subscribed by Master Aspley warden all the estate right Title and interest which the said ffrancis hath in [the 13] Copies hereafter mencioned . . . .

March 23, 1639 (IV, p. 461):

Thomas Knight. Reassigned vnto him by vertue of a note vnder the hand and seale of Master Alchorne and subscribed by Master Rothwell warden All the estate right title and interest which the said Master Alchorne hath in these [15] Copies following . . . .

No Company officer granted permission in some cases, as on May 21, 1628 (IV, p. 197):

Master Flesher. Assigned ouer vnto him from William Washington all his estate right tytle and interest which he hath in the [12] Copies hereafter mencioned which were formerlye assigned vnto him by Anne Helme . . . .

March 4, 1638 (IV, p. 458):

Master Bishop. Assigned ouer vnto him by vertue of a deed of bargain and sale vnder the hand and seale of William Stansby lately deceased and alsoe by vertue of a note vnder the hande and seale of Elizabeth Stansby the widdow of the said William these [60] Copies and partes of Copies following which were the Copies of the said william . . . .

Sometimes in these large assignments the Clerk merely names one party, not naming the source of the copies at all and giving only the name of the enterer. One must utilize the Registers and *STC* to determine previous ownership:

a) November 2, 1590 (II, p. 566): "Robert Dexter. Entred vnto him for his copies, theis [14] bookes followinge . . ." One can trace

most of the copies to Andrew Maunsell. The latter must have turned over the copyrights to Dexter, who had begun business but shortly before this entrance. Although Maunsell's last book entry was on April 3, 1587 (II, p. 467), he was still publishing in 1596:

Three Sermons, or Homelies, to Mooue Compassion towards the Poore and needie in these times. Set forth by Authoritie. London Printed by Iohn Windet for Andrew Maunsell. 1596.

b) November 6, 1598 (III, p. 131): "William Wood. Entred for his copies, in a full Court of Assistentes holden this Daie. these [9] bookes folowinge . . ." The Clerk has specified the size of each of the books—three are "4°"; three are "8°"; one is "12°"; and two are "16°." The source of most of the copyrights of these long printed books appears to have been Richard Smith, of whom nothing seems to be known after 1595.<sup>105</sup>

c) June 12, 1600 (III, p. 163): "John newbery. Entred for his copies vnder the hand of Master Man warden These [4] bookes folowinge vppon. condycon that they be no other mans Copies by former entrances . . ." Three of these copies can be traced to Robert Robinson, whose last book entry occurs on May 2, 1597 (III, p. 84). According to Sir John Lambe's notes (III, p. 702), Richard Bradock married Robinson's widow. Robinson, his widow, or Bradock may have been the assigner.

d) August 4, 1608 (III, p. 386): "Leonard Grene. Entred for his copies by order of A Court holden the 27 of June Last beinge quarter day: these thinges folowinge [11 books] . . ." All these titles can be traced to John Porter Senior.

e) June 7, 1621 (IV, p. 55): "Mistres Griffin and John Hauiland. Entred for their Copies, by order of a Courte, holden this Daie, theis [11] Copies following . . ." Most of these can be traced to Edward Griffin, whose widow in conjunction with Haviland continued his business.

Now that it has been established that a large assignment could be subscribed by merely one Warden and that it could contain the name of no assigner, one may look at an entrance which indicates that an assignment, naming no assigner, could actually contain books from more than one assigner. The following entry is of November 9, 1627 (IV, p. 188):

Master Kingston. Entred for his Copies by consent of a Court holden the 6th of November last thre Copies following. xviiijd  
saluo Jure Cuiuscunque

## Index Rhetoricus

Phrases elegantiores ex optimis autoribus selectae.

Lucan: with master Farnabyes notes.

All three books were by Thomas Farnaby. The first, "vnder the hands of master Doctor Worrall and master Lownes warden," had already been entered by Kingston on May 2, 1625 (IV, p. 139). The second had been entered to Ralph Rounthwaite September 16, 1624 (IV, p. 123). The third was entered by Richard Field on June 28, 1618 (III, p. 628). Rounthwaite was alive and in business at the time of Kingston's entrance, for he made an assignment on July 3, 1628 (IV, p. 200). Field died in 1624<sup>106</sup> and, according to Sir John Lambe's notes, George Miller and Richard Badger bought the business from his widow in 1625 (III, p. 703). It is not known whether Rounthwaite published *Phrases oratoriae elegantiores*; the earliest extant edition is one of 1631, published by Kingston. Field had, however, published *M. Annaei Lucani Pharsalia, adjectis notis T. Farnabii* in 1618. It seems to me an allowable inference then that behind the above entry on November 9, 1627, lay two separate assignments, but the entry gives no indication of this. Kingston must have shown his individual bills of sale—one signed by Rounthwaite, the other by Field or the succeeding owners of his copyrights—to the Court. The Court decision was on the sixth, and the entrance on the ninth. Kingston may perhaps have been given a single sheet of paper, signed by the officers, informing the Clerk to enter these three titles to his name.

When a stationer brought to the Hall at one time assignments from more than one assigner, the Clerk was merely saving labor when he grouped all the assignments in a single entry and omitted the names of the particular assigners. This can be seen by examination of three consecutive entries on February 16, 1617 (III, p. 603):

Master Barrett. Assigned ouer vnto him by master Leake and by order of a full Courte all theis [23] Copies followinge . . .

Idem. Allowed vnto him by the same Court all the [10] Copies that belonged to master Cotton . . .

Idem. Assigned vnto him by Thomas Bushell a booke called. the Relsoued [*sic*] Christian.

One can even see the Clerk saving himself trouble (and the stationer a sixpence) by inserting an assignment in the midst of a first entrance, as on November 10, 1632 (IV, p. 288):

Master Seile. Entred for his Copy vnder the hands of Sir Henry Herbert and Master Aspley warden a booke called Certaine learned and elegant Workes of Ffulke Lord Brooke the perticular names are as followeth (vizt) A Treaty of humane Learning. An inquisition vpon fame and honor. A Treaty of Warres: The Tragedy of Alaham. The Tragedy of Mustapha, (by assignment from Master Butter). Coelica contayning 109 Sonnettes. a Letter to an honorable Lady &c and a letter of Travell. vjd.<sup>107</sup>

## VI

The Stationers' Company had the power to deprive any stationer of copyright in a book that had been printed or published in any way contrary to its ordinances. On January 19, 1598, the Court promulgated a decree concerning the selling price of books. At the end of the decision is:

Item yt is ordered that if any person or persons shall refuse to stand to or performe this order. that in eu'y suche case the partie or parties offending therein, shall ipso facto lose & forfayt all his & their Right & interest in the booke & bookes wherein he shall so offende And thereuppon the same booke & bookes shalbe newly printed & disposed according to the discretion of the mr wardens & Assistentes or the moore parte of them.<sup>108</sup>

The most jealously guarded ordinance of all was, of course, that respecting copyright.<sup>109</sup> Were a stationer to trespass on another stationer's property, the Company could confiscate all copies of that book. The following decision is of December 18, 1592:

Whereas Edward white and Abell Ieffes haue eche of them offendyd. Viz Edw White in havinge printed the spanish tragedie belonging to Abell Ieffes, and Abell Ieffes in having printed the tragedie of arden of kent belonginge to Edw white: yt is agreed that all the bookes of eche ympression shalbe as confiscated and forfayted accordinge to thordonances, disposed to thuse of the poore of the companye for that eche of them hath seu'ally transgressed the ordonances in the seid impressions.

Each of them had to pay a fine of ten shillings, but, as was customary, "their imprisonment for the said offences" was referred to "some other convenient tyme at the discrecon of the" Master, Wardens, and assistants.<sup>110</sup>

The early printers in the sixteenth century constantly printed

other stationers' copies. Redman pirated Pynson's books—and the latter's preface to the 1525 edition of Littleton's *Tenures* said that the former's name ought to be Rudeman.<sup>111</sup> The most frequently pirated books in Shakespeare's day were the A.B.C., the accidence, and the primer, the sole printing of which the crown had given to certain stationers and nonstationers. Roger Ward pirated John Day's privileged *ABC with the little Catechisme*. "And the same so imprinted have caused the name of the said Iohn Day to be sett therto, in manner as he [Day] vseth to printe the same."<sup>112</sup> In other words, Ward counterfeited Day's book. W. A. Jackson has discovered that counterfeits or forgeries or *doppeldrucks* of popular copyright books were perhaps more common than we suspect. There are four editions of Wither's *Abuses Stript and Whipt* (1613) all of which purport to have been printed by George Eld for Francis Burton: three are genuine, one is a forgery. Three editions of Bacon's *Essays* are claimed to have been printed for John Jaggard in 1613: the true edition was printed by William Jaggard, the two counterfeit editions were printed by John Beale. There are four editions of Hayward's *Henry IV* which claim to be Wolfe's 1599 edition: three of these are later forgeries.<sup>113</sup> The purpose of counterfeits was to cheat the lawful owner of the copyright by pretending that the forgery was the lawful owner's edition. A simpler kind of piracy was merely to reprint another's copyrighted book without pretending that it was the lawful owner's edition, but also without indicating who owned the copyright or who had printed the book. The copyright of Harington's *The Metamorphosis of Ajax* was owned by Richard Field. The latter's edition has on its title page, "Printed by Richard Field, dwelling in the Blackfriars. 1596." A pirated edition of the *Metamorphosis* has on its title page only "Printed 1596."<sup>114</sup>

One must not put into the same category examples of true piracy (i.e., cheating another stationer of the rewards of his copyright) and examples of publication without the author's consent. They are altogether different phenomena. Nor should one confuse with piracy the printing of books which were unlicensed or which might bring their printers and publishers into trouble with ecclesiastic or civil authorities. The latter often had imprints which gave false information. One of the Marprelate tracts had the amusing imprint, "Printed either of this side, or of that side of some of the Priests."<sup>115</sup> English books the title pages of which

claimed production in Marburg in 1530 by Hans Luft were really done by another printer in Antwerp.<sup>116</sup> Catholic books printed in England pretended to have been printed at Douai.<sup>117</sup> John Wolfe printed in London Italian works of Machiavelli, Aretino, and Ubal dini, the title pages of which claimed printing in Italy. Their imprints bore a real Italian printer's name, or were humorous, or had only an Italian city and date.<sup>118</sup>

## VII

Suppose, however, that a stationer had followed all the Company ordinances and all the government regulations. Suppose that the contents of the book he had printed or wanted to print were in no way objectionable to the civil or ecclesiastical powers. Was it possible for authority outside the guild to deprive him of that copyright? It was. There are a few cases which reveal not only how powerful extralegal authority could be in matters pertaining to copyright but also how difficult it was for such extralegal authority to find proper grounds for depriving a stationer of his legally established copyright.

In the first case of those considered here the unorthodox procedure undoubtedly sprang from the fact that the extralegal authority was himself the normal head of all authority relating to the stationers' guild, the Archbishop of Canterbury. Altogether it was a lordly act.

In April or May, 1622, occurred the first of the famous disputations between Fisher the Jesuit and the Anglican divines—Dr. Francis White, in this initial meeting, was the disputant for the Church of England. Shortly afterward a second conference was held, the Anglican representative again being White. On May 24, William Laud, then Bishop of St. David's, opposed the upholder of the Roman faith in a third conference. Strict secrecy had been enjoined on all parties concerned, but according to White, Fisher afterward "dispersed hundreds of papers on the subject of the Third Conference to his own praise and our disgrace." Moreover, subsequent to the second conference in which King James had listed nine debatable points of Romish practice and belief, Fisher had privately delivered to him in MS an "Answer to the Nine Points." It was not until April 10, 1624, that White had finished his "Replie to Iesuit Fishers answere to certain questions propounded by his most gracious Matie King



James." Laud, although he had completed his own account of the third conference as early as Michaelmas, 1622, withheld publication until White's work should be completed.<sup>119</sup>

On April 14, 1624 (IV, p. 115), the following entrance was made to Adam Islip:

Entred for his Copie vnder the handes of master Doctor Featly and master Doctor Goad and master Bill warden A booke called A Reply to Iesuit Fishers 'answere' to 'certaine questions' propounded by his Maiestie by Francis Whit D of Carleile and a conference of ye B of Saint Davids &c. vjd

This was published with the following general title page:

A Replie to Iesuit Fishers answeare to certain questions propounded by his most gracious Matie King Iames. By Francis White . . . Hereunto is annexed, A Conference of the right: R: B: of St Davids wth the same Iesuit . . . London, Printed by Adam Islip, 1624.

Laud's work has separate pagination and a separate title page:

An Answer to Mr. Fisher's Relation of a Third Conference betweene a certain B. (as he stiles him) and himselfe. The Conference was very private, till Mr. Fisher spread certaine Papers of it, which in many respects deserved an answeare. Which is here given by R. B. Chapleine to the B. that was employed in the Conference. London, printed by Adam Islip, 1624.

Doctors Featly and Goad, who were the licensers, had themselves disputed with Fisher in 1621, and Featly and White had opposed him in 1623.<sup>120</sup> Had Laud been opposed to the publication of his work, such men would never have given their approval to the copy which Islip submitted. (It may be noted, incidentally, that the stationer had undoubtedly brought White's own MS, for the work entered on April 14 had been but finished on April 10.) Laud's own words in the second edition of his "Answer" (1639) show that he was a close party to the publication:

This tract will need patronage, as great as may be had, that is yours. Yet, when I first printed part of it, I presumed not to ask any, but thrust it out at the end of another's labours, that it might seem, at least, to have the same patron, your royal Father of blessed memory, as the other work, on which this attended, had. But now I humbly beg for it your Majesty's patronage; and leave withal, that I may declare to your most excellent Majesty, the cause why this tract was then written;

why it stayed so long before it looked upon the light: why it was not then thought fit to go alone, but rather be led abroad by the former work . . . .

Hereupon I was in a manner forced to give M. Fisher's Relation of the Conference, an answer, and to publish it. Though for some reasons, and those then approved by authority, it was thought fit I should set it out in my chaplain's name, R.B., and not in my own. To which I readily submitted . . . .

For I had then most honourable witnesses, and have some yet living, that this Discourse . . . . was finished long before I could persuade myself to let it come into public view. And this was caused . . . partly because there were about the same time, three Conferences held with Fisher. Of these this was the third; and could not therefore conveniently come abroad into the world till the two former were ready to lead the way, which till that time they were not.

And this is in part the reason also, why this tract crept into the end of a larger work. For since that work contained in a manner the substance of all that passed in the two former Conferences, and that this third, in divers points, concurred with them and depended on them, I could not think it substantive enough to stand alone. But besides this affinity between the Conferences, I was willing to have it pass as silently as it might, at the end of another work, and so perhaps little to be looked after, because I could not hold it worthy, nor can I yet, of that great duty and service which I owe to my dear mother the Church of England . . . .

This tract was first printed in the year 1624.<sup>121</sup>

Laud or White or both had, therefore, chosen Islip to be the printer of the twin production. Yet on December 24, 1638 (IV, p. 449), the following entry is to be found in the Stationers' Register:

Master Richard Badger. Entred for his Copie vnder the handes of my Lord Bishop of London and both the wardens a booke called A Relation of the Conference betweene William Laud then Lord Bishop of Saint Davids now lord ArchBishop of Canterbury and Master Ffisher the Jesuite &c. Some parte of which booke formerly entred to Master Islip without my Lordes Consent is now by a warrant vnder my Lordes hand conferred soly vpon the said Master Badger. vjd

In addition, two editions of the enlarged and revised work appeared in 1639, "Printed by Richard Badger, Printer to the Prince His Highnes."

There can be no doubt, one must conclude, that Laud, Archbishop of Canterbury, the highest tribunal in matters concerning

the Stationers' Company, had deprived Islip of his lawful copyright by means of a falsehood. It is important to note, however, that the falsehood represented a legal means of wresting copyright from the stationer insofar as proper copyright could not be established without satisfactory licensing: and Archbishop Laud was the head of official licensing. From the viewpoint of the Company, therefore, "without my Lordes Consent" would be sufficient reason for rendering Islip's entrance nonoperative.<sup>122</sup> Chicanery, however, lay in the indubitable fact that at the time Islip published the book Laud was not Archbishop of Canterbury. Islip's not obtaining the author's consent before publication had nothing to do with the expunging of Islip's entry. No stationer could be legally deprived of his copyright on that ground.<sup>123</sup>

Another case in which the Archbishop arbitrarily took away a stationer's regularly acquired copyright is interesting. The first three books of Samuel Daniel's *History of England* were published in 1612: "The First Part of The Historie of England. By Samuel Danyel. London, Printed by Nicholas Okes, dwelling neere Holborne bridge. 1612." It becomes clear from Daniel's "Certaine Aduertisements to the Reader" that he himself paid for the printing and that it was a small private edition. "This Peece of our History, which heere I divulge not, but impart priuatly to such Worthy Persons as haue fauored my indeauours herein. . . ." It would have "come abroad with Dedication, Preface, and all the Complements of a Booke, had my Health and Meanes beene answerable to my desire." He intended to have an appendix containing all the documents he had used printed separately "assoone as I haue meanes to Print."<sup>124</sup> Okes, as was customary, entered in the Stationers' Register the book which came out under his name. On April 20, 1612 (III, p. 481), one may read:

Nicholas Oakes. Entred for his Copy vnder th'andes of master Doctor Mokett and Thwardens, A booke called, A brevyary of the history of England the 3 first bookes by Samuel Danyell. vjd

But Daniel apparently did not want Okes to own the copyright; he wanted his usual publisher, Simon Waterson, to have it. Okes' entrance is crossed out; in the margin is added, "put out by order of A court 22 Junij 1612." On June 27, 1612 (III, p. 489), the book was re-entered:

Master Waterson. Entred for his Copye vnder th'andes of master Doc-

tor Mokett and Thwardens, and by the relacon of master Norton vnder his handwritinge that my Lord grace [of Canterbury] his pleasure is soe, A booke called; The first parte of the History of England by Samuell Danyell. vjd

(Norton was Master of the guild at the time.) Here then is a clear case in which a stationer was deprived of his regularly acquired copyright because of the power of high authority.<sup>125</sup> "His pleasure is soe"—how revealing of the period these words are.

A very similar case occurred later in the century. The Stationers' Court minutes for December 3, 1660, read:

The Lord Powess haueing heretofore compiled a Romance Entitled & imployed Mr. Griffin at the said Lordships proper charge to print an impression thereof, & haueing lately made some adicions thereto with intent to reprint it at his like chardg came this day to the Court & complained that the widow of Mr. Griffin aforesaid layd claime (by entrance) to the Originall Copie, soe that his Lordship could not proceed in his designe, withall affirming on his Honour (& offering alsoe his Oath) that he never contracted with Mr. Griffin for, or gave him a right in the said Originall, & Mrs. Griffin (now attending) haueing only the entrance of the said booke to offer in behalfe of her title, the Court willing to doe Justice to both partys referred to the whole (by their consent alsoe) to our Master who was desired to put such finall & speedy issue thereto, as shalbe Just.<sup>126</sup>

How could a mere stationer's widow gainsay a peer of the realm?

It is seen, therefore, that high authority outside the Stationers' Company could intervene to deprive an Elizabethan publisher of his lawfully acquired copyright. Knowing the Elizabethan period, one could have guessed that such a phenomenon would occur, yet there is no evidence that any publisher of a surreptitious play text was ever deprived of his copyright by such means.<sup>127</sup>

## CHAPTER THREE

### SURREPTITIOUS PUBLICATION IN SHAKESPEARE'S DAY

#### I

The copyright and publication histories of the bad quartos are not theoretical but factual. Any theory concerning these stolen and surreptitious texts must agree with these facts. It is known that the Stationers' Company could refuse entrance and cross out entrance, that the official licensers could refuse license, that great personages of court and Church could have the unfortunate stationers' copyright canceled, that the publishers of books disliked by the Church or State could not only lose their copyrights but also be severely punished otherwise. Appendix A includes the Stationers' Register occurrences and the imprints of all the known bad quartos.

The basis of A. W. Pollard's position was that the officers of the Stationers' Company, afraid of reprisal by the authorities to whom the players might appeal, were opposed to the entrance and publication of the bad quartos. According to Pollard, the bad quartos were not entered or were entered irregularly. (Hence was set up the valuable criterion that because they were entered, the majority of the Shakespeare quartos were printed with the actors' permission.) Greg developed Pollard's position by maintaining that since an unentered quarto did not establish copyright for its publisher, he could not assign its copyright. Greg further suggested that the owner of copyright in the bad quarto did not own copyright in the play (i.e., in the good text as well as the bad).

The next chapter of this book goes fully into the attempts of Shakespeare's fellows to prevent the surreptitious publication of plays in their repertory. The staying order in regard to *Henry V* and the initial entrances of *Hamlet* and *Pericles* are part of this story. But the copyright and publication histories of the maimed and deformed texts show no reluctance on the part of the Stationers' Company to permit the entrance and assignment of the bad quartos. Nor do these histories or other records show that the publishers of such texts were punished in any way within their guild or outside their guild. Excluding *Hamlet* and *Pericles*, of the fourteen entered bad quartos, eight (*Edward 1*, II HVI, Or-

*lando Furioso, Famous Victories, True Tragedy of Richard III, George a Greene, A Knack to Know an Honest Man, The Fair Maid of Bristow*) were entered under the hands of the Wardens only, and six (*RIII, Merry Wives, Doctor Faustus, If You Know Not Me I, King Lear, Philaster*) were entered under the hands of official licensers. There is no record of the Stationers' Company, or an ecclesiastic, or the Master of the Revels refusing to license a stolen and surreptitious play text.

The Pollard-Greg theories seem to have no basis in fact. There is nothing irregular in the entrance and assignment of *Merry Wives* on the same day. The assignment of *Henry V* to Pavier was permitted by the Stationers' Company in a transfer that can, as I have shown, be duplicated elsewhere in the Registers. The publishers of *Hamlet* and *Pericles* could not, if they had wished, enter these bad texts; these plays had already, with the connivance of the players, been entered to keep them from being printed. Excluding these two plays, therefore, it appears that of the remaining twenty bad quartos, fourteen were entered and six were not. These six were: *Henry V, Massacre at Paris, Romeo and Juliet, III Henry VI, Fair Em, and Sir Thomas Wyatt*. The proportion of entered to unentered bad texts should perhaps be even higher, for (a) *Henry V* may not have been entered because its copyright and that of *Famous Victories* may have been considered identical; (b) Archer, the publisher of *Wyatt*, entered none of the plays he published. The proportion of entered to nonentered bad quartos is the same as that for other books at this period: two-thirds to one-third. As to the nine bad quartos of Shakespeare's plays, excluding *Hamlet* and *Pericles*, four (*RIII, KL, MW, and II HVI*) were entered and three (*R&J, III HVI, and HV*) were not. If *HV* is excluded the proportion is four to two, two-thirds to one-third, the normal proportion for the period.

Perhaps the most valuable service the present book can offer is to explode once and finally the hypothesis that there is any relationship between entrance or nonentrance, on the one hand, and the goodness or badness of the printed versions of a play, on the other. A. W. Pollard's statement, "It is submitted that an entry in the Stationers' Register may be taken as *prima facie* evidence that a play was honestly purchased from the players to whom it belonged," must be canceled.

Greg's theory that unentered bad texts did not establish copy-

right and could not be assigned must also be canceled. *Romeo and Juliet* had better be omitted from consideration because it is not known how Burby came into possession of that copyright. But *III Henry VI*, *Henry V*, *Hamlet*, and *Pericles*, although not originally entered by their publishers, were regularly assigned. Of the twenty-two bad quartos, excluding *Romeo and Juliet*, *Hamlet*, *Doctor Faustus*, and *Philaster* because good texts replaced bad texts, it is apparent that of the remaining eighteen, only six (*Fair Em*, *Famous Victories*, *True Tragedy of Richard III*, *A Knack to Know an Honest Man*, *Massacre at Paris*, and *Sir Thomas Wyatt*) do not appear in assignments. The publishers of *Fair Em* disappear from the Registers without having made any general assignments of their copies. As to *Famous Victories* and *The True Tragedy of Richard III* published by Creede, his partner, Alsop, succeeded to the business on the former's death in 1617. Edward White Junior came into possession of his father's copies, apparently, without transfer in the Registers (see IV, p. 120); among these would be *Massacre at Paris*. Archer, the publisher of *Wyatt*, did not include the play in the last entry recorded for him, an assignment of six copies to Hugh Perry on February 10, 1631 (IV, p. 248). Nor does *A Knack to Know an Honest Man* appear in the forty-four copies and parts of copies assigned by Widow Burby on October 16, 1609 (III, pp. 421-22).

The best evidence that copyright and publication histories give on the true status of the stolen and surreptitious texts is afforded by *Hamlet*, *Doctor Faustus*, and *Philaster*. The history of these shows plainly that entrance or publication of a bad quarto established copyright not merely in the bad text but in the play. The owners of copyright in the bad quartos of *Hamlet*, *Doctor Faustus*, and *Philaster* were the first publishers of the good quartos. (Very possibly, too, in the case of *Romeo and Juliet* and of *Love's Labor's Lost* the stationer who had come into possession of the copyright based on the bad quarto also published the good quarto.) This conclusion—that the owner of copyright in a bad text automatically owned copyright in the play and hence in the good text—is supported by the copyright record of the Shakespeare plays which first appear with good texts in the 1623 folio. The owners of copyright based on bad quartos automatically owned copyright in these good texts and could publish and assign these good texts. (This matter is discussed fully in the last chapter

of this volume.) Immediate proof is seen in the case of *Merry Wives*. Arthur Johnson (through William Jaggard) republished the bad quarto in 1619. In 1630 he transferred his right in the play to Meighen. The latter published the play in 1630, not with Johnson's bad text but with the First Folio good text. Greg's suggestion that the owner of copyright in a bad text did not possess copyright in the good version is not supported by the record.

But, having stated the facts concerning the bad quartos, one may still be surprised that such numerous pillages could occur over so long a period. How did the stationers accomplish them without penalty? What legal defense could they make? Why did not the officers of their own guild stop them? How could the stationers safely establish copyright in a text printed without the author's or his assign's consent? Upon what principle did they establish copyright in the work solely by the publication of a corrupt text? Why did the official censors acquiescently give licenses? Why did not the Master of the Revels interfere? Why did not the players obtain authority outside the Stationers' Company to rule out publication of stolen and surreptitious play texts once and for all?

It is only when one understands the degree and conditions of surreptitious publication in general in Shakespeare's day, that the answers to these questions appear. Today the publication of an author's work without his consent is called "piracy," but in Shakespeare's day such publication was not considered illegal, nor was the publisher considered a criminal. The author might take offense, but the stationer was fully within his customary rights when he "pirated" a living or dead author's work—published, that is, without foreknowledge and authorization by the author or his literary executor. In the following pages contemporary documents are submitted to substantiate the following statements: Stationers did not consider the author's permission necessary before the publication of one of his works. Authors accepted, or were forced to accept, the fact that they could not stop unsanctioned publication. Once a stationer had established copyright in the work by means of unsanctioned publication, nothing could deprive him of that copyright except arbitrary action on the part of high government officials. A corollary to this last conclusion is that if a stationer had established copyright by means of the publication of a corrupt copy and if the author or his representa-



tives wished to supplant the corrupt text with an authentic text, he or they must give the "good" copy to the very stationer who had published the "bad" text or to any assign to whom this stationer had sold the copyright.

## II

In 1647, appeared a folio of Beaumont and Fletcher plays. The title page reads, "Never printed before, And now published by the Authours Originall Copies." On the title page of the Shakespeare First Folio is "Published according to the True Originall Copies." Richard Sibbe's *Light from Heaven*, published posthumously in 1638, has on its title page, "Published according to the Authors owne appointment subscribed with his hand; to prevent imperfect Coppies."<sup>1</sup> This insistence by publishers on printing copy which was either holograph or authorized by the writer came about because the reading public of that time knew that literary works were commonly passed around in manuscript and were copied and recopied. Fulke Greville wrote shortly after Sidney's death that manuscripts of the old *Arcadia* were "common." (There are still extant no less than eight copies.) In the dedication of *The Belides Elegie* (1659), George Tooke declared that he was glad to publish, "for thus have I found a way to correct and redeem some scattered imperfect Copies . . ."<sup>2</sup> Thomas Nashe in the dedication of *The Terrors of the Night* to Lady Elizabeth Carey gave a graphic contemporary account of how a manuscript could be copied and recopied:

A long time since hath it line suppressed by mee; vntill the vrgent importunitie of a kinde frend of mine (to whom I was sundrie waies beholding) wrested a Coppie from me. That Coppie progressed from one scriveners shop to another, & at length grew so common, that it was readie to bee hung out for one of their signes, like a paire of indentures. Wherevppon I thought it as good for mee to reape the frute of my owne labours, as to let some vnskilfull pen-man or Nouerint-maker startch his ruffe & new spade his beard with the benefite he made of them.<sup>3</sup>

In the succeeding pages are many other examples of a manuscript work's being copied and so strewn abroad.<sup>4</sup>

Furthermore, an author could lose a manuscript work. In the prefatory matter to his *Challenge* (1593), in which he listed

his published writings, Churchyard wrote of "These workes following are gotten from me of some such noble freends as I am loath to offend":

Aneas, tale to Dydo, largely and truely translated out of Virgill, which I once shewed the Qu. Ma. and had it againe.

A book of the oath of a Iudge and the honor of Law, delivered to a Stacioner, who sent it the L. cheefe Baron that last dyed . . . .

A great peece of work translated out of the great learned French Poet Seignior Dubartas, which worke treated of a Lady and an Eagle, most diuinely written on by Dubartas, and giuen by me to a great Lord of this land, who saith it is lost.

An infinite number of other Songes and Sonets, giuen where they cannot be recouered, nor purchase any fauour when they are craued.<sup>5</sup>

Wither has a similar complaint. At the end of *Fides Anglicana* (1660), he included in a list of works he had written:

1. Iter Hibernicum, or, His Irish Voyage. Verse.
2. Iter Boreale, a Northern Journey. ver.
3. Patricks Purgatory. ver.
4. Philaretes complaint. ver.

These four last mentioned were lost in Manuscript.<sup>6</sup>

The custom of sending a manuscript copy of a work abroad so that it was out of the immediate control of the author, and so that the one copy could give rise to many transcripts, sometimes led to publication of that work without the author's permission—unauthorized publication, that is.

### III

Before giving obvious examples of a stationer's publishing a work and establishing copyright in it in spite of the author's unwillingness to have the work printed, examples of a stationer's printing a work without the author's knowledge, examples of a stationer's buying a transcript from someone other than the author and not paying the latter a farthing for the right to print his work—before giving these, it may be well to examine certain prefaces which declare that the work was given to the publisher by a friend without the author's knowledge or consent.

In his dedication to *Eglogs, Epytaphes, and Sonnettes* (1563),<sup>7</sup> Googe wrote that despite his desire that his verses not be printed, although his friends earnestly requested that he send them to the press,

beyng at that tyme oute of the Realme, lytell fearynge any suche thyng to happen. A very Frende of myne, bearynge as it semed better wyll to my doynges than respectyng the hazarde of my name, commytted them all togyther vnpolished to the handes of the Prynter. In whose handes duryng his absence from the Cytie, tyll his retorne of late they remayned. At which time, he declared the matter wholly vnto me: shewyng me, that beyng so farre past, and Paper prouyded for the Impression thereof: It coude not withoute great hynderaunce of the poore Printer be nowe reuoked. His sodayne tale made me at ye fyrst, vtterly amazed, and doubting a great while, what was best to be done: at the lengthe agreyng both with Necessytie and his Counsell, I sayd with Martiall. iam sed poteras tutior esse domi.

The friend who gave the poems to the printer, L. Blundeston, wrote in a verse *Preface*:

Lo here the Eye a Paper buntche doth se  
Of fyled worke of Googes flowing Heade,  
Lefte here behynde, when hence he past from me,  
In all the stormes that Winter blastes bespreade . . . .  
Thus pushte I forth strayghte to the Printers hande  
These Eglogs, Sonets, Epytaphes of men  
Vnto the Readers Eyes for to be skande . . . .

In a prose preface "to the Reader," Blundeston declared:

I woulde be then no more sparynge to horde vp my Treasure from the: then I trust to fynd the vnthankfull now in takyng this Present from me, which not onely to shewe my good wyll, (as my Preface discourseth more largely) by preseruyng the worthy Fame, and Memorye of my deare frende M. Googe in his absence I have presumed more bouldely to hazard ye pryntyng heareof . . . .<sup>8</sup>

Now the sole important point to be noted out of all this prefatory matter is that Blundeston apparently did not consider the author's permission in any way a prerequisite to publication of a work by that author.<sup>9</sup>

In the so-called surreptitious first edition of Gascoigne's *Posies*, called *A Hundreth Sundrie Flowres*, printed by Bynneman for Richard Smith in 1573, this passage appears in the epistle of "H. W. to the Reader":

In August last passed my familiar friend Master G. T. bestowed upon me ye reading of a written Booke, wherein he had collected divers discourses & verses, invented upon sundrie occasions, by sundrie gentlemen (in mine opinion) right commendable for their capacitie.

And herewithal my said friend charged me, that I should use them onely for mine owne particuler commoditie, and eftsones safely deliver the originall copie to him againe, wherein I must confesse my selfe but halfe a marchant, for the copie unto him I have safely redelivered. But the worke (for I thought it worthy to be published) I have entreated my friend A. B. to emprint: as one that thought better to please a number by common commoditie then to feede the humor of any private parson by nedelesse singularitie . . . . And I must confess that . . . I have contrary to the charge of my said friend G. T., procured for these trifles this day of publication. Whereat, if the aucthors onely repyne, and the number of other learned mindes be thankfull: I may then boast to have gained a bushell of good will, in exchange for one pynt of peevish choler.<sup>10</sup>

This is followed by "The letter of G. T. to his very friend H. W. concerning this worke" wherein G. T. after commending to the attention of H. W. the manuscript collection of poems which he had sent him, "the workes of your friend and myne Master F. J. and divers others," requested:

that you will by no meanes make the same common: but after your owne recreation taken therin that you wil safely redeliver unto me the originall copie. For otherwise I shall not onely provoke all the aucthors to be offended with mee, but further shall leese the [opportunity of seeing other manuscript works by one of the authors] . . . . And therefore I requier your secresie herein, least if he hear the contrary, we shall not be able by any meanes to procure these other at his handes.<sup>11</sup>

Although there cannot be the least doubt that these epistles were false, that all the poems were by Gascoigne, that he consented to the publication and may even have prepared the copy for the press,<sup>12</sup> yet the letter of H. W. does yield evidence as to the contemporary view of unauthorized publication. H. W. knew that the authors would be in a "peevish choler," but he apparently saw nothing unusual or unethical in publishing an author's work without his consent or knowledge. It should be noted particularly that H. W. returned the original copy to G. T. after he had made a transcript which he gave to the printer. This illustrates how an author's work could come to press without his knowledge.

In the first edition of *A Petite Pallace of Pettie His Pleasure*, licensed to Richard Watkins on August 6, 1576 (II, p. 301), and published by him probably in the same year, is an address "To the Gentlewomen Readers" by "R. B.":

Gentle Readers, whom by my will I would haue onely Gentlewomen, and therefore to you I direct my woords. May it please you to understand, that the great desire I haue to procure your delight, hath caused me somewhat to transgresse the boundes of faithfull freindship: for hauing with great earnestnesse obtained of my very freinde Master George Pettie the copie of certaine Histories by himself upon his owne and certaine of his freinds private occasions drawn into discourses, I saw sutch wittie & pithie pleasantnes containd in them, that I thought I could not any way do greater pleasure or better service to your noble sexe, then to publish them in print, to your common profit & pleasure. And though I am sure hereby to incur his displeasure, for that he willed me in any wise to keepe them secret: yet if it please you thankfully to accept my goodwill, I force the lesse of his ill wil . . . And that you may the better understande the drift of these devises, I haue caused the letter also which my freinde sent mee with this worke, to be set downe to your sight . . .<sup>13</sup>

In "The Letter of G. P. to R. B. Concerning this Woorke," Pettie wrote:

I pray you only to use them to your owne private pleasure, and not to impart them to other . . . I pray you in any wise let them bee an object only for your owne eyes.<sup>14</sup>

Later in the "Preface to the Readers" of *The ciuile conuersation of M. Steeuën Guazzo*, Pettie declared that the publication of *A Petite Pallace* was unauthorized:

Hauing (gentle Readers) by reason of a trifling woorke of mine (which, by reason of the lightnesse of it, or at least of the keeper of it, flew abroad before I knew of it) . . .<sup>15</sup>

Though R. B. and G. P.'s remarks are to be taken with more than one grain of salt,<sup>16</sup> still R. B.'s attitude is interesting. He feared no repercussions from his sending the copy to the printer without the author's consent except the latter's "displeasure" and "ill wil." Certainly he did not consider his act in any way criminal or legally reprehensible.<sup>17</sup>

Another example of a friend's sending a work to the press and feeling no sense of doing anything outlandish or immoral is to be found in the preface of *A true Coppie of a Discourse written by a Gentleman, employed in the late Voyage of Spaine and Portingale*, for Thomas Woodcock, 1589:

[I] haue presumed to present vnto you a report of the late *Voyage into Spaine and Portingall*, sent vnto me almost 4. moneths sithence from a

Gentleman my verie nere friend employed in the same; . . . Howbeit, forasmuch as it came vnto my hands with his earnest request to reserue it to my selfe, . . . the desire I haue to reconcile the contrarietie of opinions that be held of that action, & to make it known what honour the cause hath laid vpon our whole Nation, moued me to publish [i.e., send to the press] the same.<sup>18</sup>

The same attitude is to be seen in Hadrian Dorrell's preface to *Willobie His Avisa* (1594),<sup>19</sup> "To the gentle & courteous Reader":

It is not long sithence (gentle Reader) that my very good frend and chamber fellow, M. Henry Willobie, a yong man, and a scholler of very good hope, being desirous to see the fashions of other countries for a time, departed voluntarily to her Maiesties seruice. Who, at his departure, chose me amongst the rest of his frendes, vnto whome he reposed so much trust, that he deliuered me the key of his study and the vse of all his bookes till his returne. Amongest which (perusing them at leysure,) I found many prety & witty conceites, as I suppose of his owne dooing. One among the rest I fancied so much, that I haue venterd so farre vpon his frendship, as to publish it without his consent.<sup>20</sup>

Rather important, because of the eminence of the people involved, is the next example of the not infrequent custom of the author's friend sending the author's MS to the press. At the end of Edmond Howes' *The Annales, Or Generall Chronicle of England* (1615),<sup>21</sup> is Sir George Buc's *The third Vniuersitie of England*. In "An Advertisement to the Reader, concerning the three Vniuersities of Englande," Howes wrote that he "thought it fit" to add to the material which Stow and he collected,

a treatise of the third Vniuersitie of England, to wit London, which treatise was lately gathered, & written by S. George Buck Knight, Gentleman of the kings priuy Chamber, and Master of his Maiesties office of the Reuells, and by him given and dedicated, to the right honorable Sir Edward Coke Knight, Lord chiefe Iustice of England, and one of his Maiesties priuie Counsell, to be disposed at his Lordshippes pleasure, whereof I hauing aduertisement, became an humble sutor to his lord shippe, that I might haue it to publish with the rest, whereunto his Lordshippe very fauorably condescended, and forthwith deliuered it vnto mee, with special commendation, and approbation, as of a worke worthy the publike Light, and to that purpose gaue his honourable allowance vnder his owne hand. The publication whereof accordingly, I haue with all diligence performed not doubting but that the Ingenious Reader will kindly accept thereof, and of their Loue and paynes by whome it is friendly, and freely imparted vnto them.

That Buc was completely aware of this custom, that he in fact expected Coke to give his MS to the press, is apparent in his signed dedication which Howes printed:

and for a gage [of his devotion to Coke] . . . I giue and dedicate vnto your Lordship, this Third Vniuersitie, vnto the which I pray your Lordship to giue fauourable entertainement, or if in your Iustice you thinke it not worthy, I submit it to your Lordshippes censure or sentence, eyther of life, or death, presse or suppression.

Neither did an author's kin see anything strange in a posthumous publication which was arranged without their knowledge or consent. Samuel Hartlib, friend of Milton and minor Maecenas, took it upon himself to publish *Ireland's Natural History* (1652) by the dead Gerard Boate, M.D. In "To the Reader" Hartlib enclosed a letter to him by the author's brother, Arnold Boate:

Sir, I am very glad to understand by you, that my Brothers work of the Naturall History of Ireland, is not only not lost, as I greatly feared it was, and that you have found it in perusing those books and papers of his, which he had left behind him at London; but that you are going to print it, and have already contracted about it: by the doing whereof I am fully perswaded, that you will gain both credit and contentment, and that those shall no wayes be losers, who will bee at the charges of doing the same.<sup>22</sup>

As an example of another type of printing without the author's knowledge or consent, of the giving of copy to the stationer by one who did not even know who the author of the manuscript was and yet evidently believed that it was not necessary to discover who he was or whether he agreed to the publication, one may cite the preface of *An Old Man's Lesson and a Young Man's Love*, 1605. This was ascribed on the title page to Nicholas Breton, but in "To the Reader," Breton definitely disclaimed authorship (perhaps one should not attribute to this professional writer the false modesty that would pass off as somebody else's his own work):

I haue met of late with a discourse written by I know not whom, and how well, iudge you that reade it . . . I will not commend the handling of it, but rather leaue it to correction of the wise then the allowance of the contrarie: and so wishing it may displease none, that are worthy to be pleased, and not to be worse thought on then it deserues, I leaue it to your patience and my selfe to your kinde regard, and so rest

Your Louing Friend.  
Nich. Breton.<sup>23</sup>

Here then—whether or not he was honest in the particular circumstance—an Elizabethan writer states that to print a work without notifying the author, obtaining his consent, or paying him for the right to print was not even considered an act meriting a few words of apology.

This is also borne out by an address to the reader in *A true relation of such occurrences . . . as hath hapned in Virginia*, for J. Tappe, sold by W. W[elby], 1608. The manuscript had been found by I. H.:

Happening vpon this relation by chance (as I take it, at the second or third hand) induced thereunto by diuers well wishers of the action, and none wishing better towards it then my selfe, so farre forth as my poore abilitie can or may stretch too, I thought good to publish it [i.e., send it to the press]: but the Author being absent from the presse, it cannot be doubted but that some faults haue escaped in the printing, especially in the names of Countries, Townes, and People, which are somewhat strange vnto vs; but most of all, and which is the chiefe error, (for want of knowledge of the Writer) some of the bookes were printed vnder the name of Thomas Watson, by whose occasion I know not, vnlesse it were the ouer rashnesse, or mistaking of the workemen, but since hauing learned that the saide discourse was written by Capitaine Smith, who is one of the Counsell there in Virginia: I thought good to make the like Apollogie, by shewing the true Author so farre as my selfe could learne.<sup>24</sup>

I. H. finds a manuscript. He gives it to a stationer for publication, without knowing whether the author wanted it published or not. I. H. apologizes to the author, not because he has been responsible for a printing without the author's consent, but because the printers put down the wrong name!

The first conclusion in this chapter clearly should be that in Shakespeare's day publication without the author's knowledge or consent was not considered by the literary milieu as in any way strange, illegal, or vicious.

#### IV

What the stationers themselves thought of surreptitious publication may now be determined, first by evidence which shows that stationers did not consider it necessary to ask the family or friends' permission when they published a dead author's manuscript work.



In *ca.* 1554 appeared the following volume: "The fourth boke of Virgil . . . translated into English . . . by Henrye late Earle of Surrey . . . Imprinted at London by John Day, for William Awen . . ." <sup>26</sup> The publisher dedicated his book to Thomas, Duke of Norfolk:

When it chaunced a cōpye of thys part of Virgill, traunslated by your graces father (right honorable Lord) by the meanes of a friend of mine, to come to my hands: I not onely held ye same as no smal treasure, because I had heard it, lyke as others the monumentes of that noble wyt of hys . . . of al men to be commended: but also my desyre was great, at one time or other, yf by a meanes conuenient I might, to publyshe the same: and that the rather, because I coulde vnderstand of no man that had a cōpye thereof, but he was more wylling the same should be kept as a priuate treasure in the handes of a fewe, then publyshed to the common profyt and delectacion of many. But forasmuch as my copy although it were taken of one, wrytten with the authors owne hande, was not yet so certaine, that it myghte be thought of it selfe sufficient to be publyshed . . . , gettingyng two other copies also, written out by other men, I caused myne to be conferred with them both, and of theym yt to be receiued, as most worthy to be alowed, which was bothe to the latyn most agreable, and also best standing with the dignity of that kynde of mytre.

And this my doing I trust no honest man shall be able to reprove, but rather it shall be an occasion, to such as fauour the monimentes of so noble a wyt, if they haue a better copy to publyshe the same. As for the vnthankful, I passe not how much they repyne at my dede: so that I may vnderstand your grace to take in good part my good wyl herein. Which if you do (as I nothinge doute of your graces goodnesse) it shal no lytle encourage me hereafter to bring other hys workes to light, as they shal come to my hands . . .

Your graces most humble Oratour  
Wyllyam Owen

This dedication is extremely interesting for the purposes of this study. Owen, having come into possession of a transcript (once removed from a holograph: there appear to have been many copies) of Surrey's translation of the *Aeneid*, edits and publishes it—one of his reasons being that no one else who had a copy would, for selfish reasons, give it to the press. In addressing the author's son and heir, Owen shows no consciousness that he should have asked any one's permission before publication. "No

honest man shall be able to reprove" him. He takes it for granted that the son will approve of what he has done, and promises to publish other of Surrey's works as soon as he can discover manuscripts of them.

In 1591 Thomas Newman published "Syr P. S. His Astrophel and Stella . . . To the end of which are added, sundry other rare Sonnets of diuers Noblemen and Gentlemen." Twenty-eight of the added sonnets were by Samuel Daniel. It will be seen later in this chapter that Newman got into some sort of trouble because of this unsanctioned publication, yet his dedicatory epistle to Francis Flower shows not an inkling of anything out of the way in his publishing the work of a dead author without the kin's consent and the work of a living author without the latter's permission:

It was my fortune, right worshipfull, not many daies since, to light vpon the famous deuice of Astrophel and Stella, which carrying the general commendation of all men of iudgment, and being reported to be one of the rarest things that euer any Englishman set abroach, I haue thought good to publish it vnder your name . . . For my part, I haue been very carefull in the Printing of it, and where as being spred abroade in written Coppies, it had gathered much corruption by ill Writers: I haue vsed their helpe and aduice in correcting and restoring it to his first dignitie, that I knowe were of skill and experience in those matters. And the rather was I moued to sette it forth, because I thought it pittie anie thing proceeding from so rare a man, shoulde bee obscured, or that his fame should not still be nourisht in his works, whom the works [*sic*] with one vnited grieffe bewailed. Thus crauing pardon for my bold attempt, and desiring the continuance of your worshippes fauour vnto mee, I ende. Yours alwaies to be commaunded, Tho: Newman.

Nor was Nashe in his prefatory eulogy to the same book, "Somewhat to reade for them that list," aware of anything wrong in the unsanctioned publication. Work of such value, he says,

Which although it be oftentimes imprisoned in Ladyes casks, & the president bookes of such as cannot see without another mans spectacles, yet at length it breakes foorth in spight of his keepers, and vseth some priuate penne (in steed of a picklock) to procure his violent enlargement.<sup>26</sup>

In 1595 occurred another unauthorized publication of one of

Sidney's works. In this year there are two editions of Sidney's critical essay, each from a different manuscript: *An Apologie for Poetrie*, for Henry Olney; *The Defence of Poesie*, for William Ponsonby. On April 12, 1595 (II, p. 295), Olney, an obscure bookseller during 1595-96, entered an *Apologie for Poetrie* under the hands of the Wardens. The entry is crossed out and one reads beneath:

This belongeth to master ponsonby by a former entrance And an agreement is made between them whereby Master Ponsonby is to enjoy the copie according to the former entrance.

Ponsonby had registered the work under a different title on November 29, 1594 (II, p. 666). He was Sidney's official publisher. The preface to Olney's edition reads:

The stormie Winter (deer Chyldren of the Muses) which hath so long held back the glorious Sunshine of diuine Poesie, is heere by the sacred pen-breathing words of diuine Sir Philip Sidney, not onely chased from our fame-inviting Clyme, but vtterly for euer banisht eternitie: then graciously regreet the perpetuall spring of euer-growing inuention, and like kinde Babes, either enabled by wit or power, help to support me poore Midwife, whose daring aduenture, hath deliuered from Obluions wombe, this euer-to-be-admired wits miracle. Those great ones, who in themselues haue interr'd this blessed innocent, wil with Aesculapius condemne me a detractor from their Deities: those who Prophet-like haue but heard presage of his coming, wil (if they wil doe wel) not onely defend, but praise me, as the first publique bewrayer of Poesies Messias. Those who neither have seene, thereby to interre, nor heard, by which they might be inflamed with desire to see, let them (of duty) plead to be my Champions, sith both theyr sight and hearing, by mine incurring blame is seasoned. Excellent Poesie, (so created by this Apologie,) be thou my Defendresse; and if any wound mee, let thy beautie (my soules Adamant) recure mee; if anie commend mine endeuored hardiment, to them commend thy most diuine fury as a winged incouragement; so shalt thou haue deuoted to thee, and to them obliged

Henry Olney<sup>27</sup>

Although Olney seems to be fully conscious that the "great ones" would be displeased by his unauthorized publication (he must have known of the agitation that occurred over the printing of *Astrophel and Stella*), his obsequiousness seems to have in it no

element of consciousness that their permission was a prefatory requisite to publication. That he was forced to relinquish publication was due not to their disapproval but to an earlier establishment of copyright by another stationer.

Having noted that stationers saw nothing irregular in publishing the work of a dead author from a transcript that had come into their possession, without asking his heir's or his family's permission, our next problem is to discover the views of stationers as to the publication, from transcripts that had fallen into their hands, of works by a living author without his consent. It will be remembered that Newman published Daniel's sonnets appended to *Astrophel* without even bothering to refer to the matter in his epistle.

Thomas Blenerhasset's *The Seconde part of the Mirrour for Magistrates* was published by Richard Webster in 1578. In "The Authour's Epistle Vnto His Friende," which apparently accompanied the original MS and was dated May 15, 1577, Blenerhasset wrote: "keepe these trifles from the view of all men, and as you promysed, let them not raunge out of your private Study."<sup>28</sup> Nothing could better testify to the custom which allowed Elizabethan stationers to practice without any sense of social wrongdoing what we today call surreptitious publication than Webster's preface, "The Printer to the Friendly Reader":

Gentle Reader, I trustyng in thy accustomed kyndnesse, haue published this booke, entituled, The Second part of the Mirrour for Magistrates, the authour whereof, is now beyond the seas, and wyl marveile at his returne to find thys imprinted. For his intent was but to profite and pleasure one priuate man, as by his Epistle may appeare. But I fyndyng the copie by chaunce, shewing it vnto diuers men, both learned and wise: and fyndyng a booke alredy in print, entituled The first and third part of the Mirrour for Magistrates, I was moued diuersly of diuers men, by printyng this latter woorke, to make perfitte the former booke.<sup>29</sup>

Another clear example of an Elizabethan publisher's printing an author's work without his consent, but exhibiting no sense of guilt whatsoever, is to be found in Henry Bynneman's preface to George Best's *A true discourse of the late voyages of discoverie for finding of a passage to Cathaya* (1578):

I hauing intelligence of a substantiall discourse whiche was diligently written thereof, and priuately dedicated to my very Honourable Mays-

ter, Sir Christopher Hatton Knight, by a gentleman of his own, who was personally present a captain in all the same seruice; I haue, without making priuie the authour, procured his coppie out of the handes of a friende of mine, who had the writing and perusing thereof, and haue presumed to publish and imprint the same, to the ende that thereby I mighte (gentle reader) as well satisfie thy greedy expectation, by vnfolding these newe and vnknown matters, whereof the nature of man is most desirous, as also to performe that dutie whiche I owe vnto my sayde Honourable Mayster, in publishing such things as are directed vnto him.<sup>30</sup>

Although the latest editors of *The Arte of English Poesie* (1589) believe Puttenham to have attended at the press,<sup>31</sup> Richard Field, the publisher's, dedication to Lord Burghley is nevertheless interesting. Field's words, whether sincere or not, clearly reveal the contemporary attitude of stationers toward manuscripts which had come into their possession and which they published:

This booke (right Honourable) comming to my handes, with his bare title without any Authors name or any other ordinarie addresse, I doubted how well it might become me to make you a present thereof, seeming by many expresse passages in the same at large, that it was by the Authour intended to our Soueraigne Lady the Queene . . . . Yet when I considered, that bestowyng vpon your Lordship the first vewe of this mine impression (a feat of mine owne simple facultie) it could not scypher her Maiesties honour or prerogatiue in the giift, nor yet the Authour of his thanks . . . .

It does not seem to have entered Field's mind that he should make a genuflection toward the unknown author, let alone seek him out, although it is obviously conceivable that the latter might not want the work published.

William Ponsonby, who in all published eight volumes of Spenser's work, has an interesting preface to the latter's *Complaints* (1591):

Since my late setting foorth of the Faerie Queene, finding that it hath found a fauourable passage amongst you; I haue sithence endeouored by all good meanes (for the better encrease and accomplishment of your delights,) to get into my handes such smale Poemes of the same Authors; as I heard were disperst abroad in sundrie hands, and not easie to bee come by, by himselfe; some of them hauing bene diuerslie imbeziled and purloyned from him, since his departure over Sea. Of the which I haue by good meanes gathered together these fewe parcels present, which I haue caused to bee imprinted altogether, for that they

al seeme to containe like matter of argument in them: being all complaints and meditations of the worlds vanitie, verie graue and profitable. To which effect I vnderstand that he besides wrote sundrie others, namelie Ecclesiastes, and Canticum Canticorum translated, A senights slumber, The hell of louers, his Purgatorie, being all dedicated to Ladies; so as it may seeme he ment them all to one volume. Besides some other Pamphlets looselie scattered abroad: as The dying Pellican, The howers of the Lord, The sacrifice of a sinner, The seuen Psalmes, &c. which when I can either by himselfe, or otherwise attaine too, I meane likewise for your fauour sake to set forth.<sup>82</sup>

Ponsonby's words on how an author's work could be scattered in manuscript are not to be taken lightly, for one of the "Pamphlets looselie scattered abroad" came into the hands of another stationer who wasted no time in putting to press his treasure. On May 1, 1592 (II, p. 610), Cuthbert Burby (who but four months before had taken up his freedom in the Stationers' Company [II, p. 710]) entered *Axiochus of Plato*. The very rare quarto, dated 1592, bears Spenser's name prominently on the title page.<sup>83</sup> In "To the Reader," Burby wrote:

This Dialogue of Axiochus, gentle Reader, was translated out of Greeke, by that worthy Scholler and Poet, Maister Edward Spenser, whose studies haue & doe carry no mean commendation, because their deserts are of so great esteeme.

If heerin thou find not the delightful pleasures his verses yeeldeth, yet shalt thou receiue matter of as high contentment: to wit, comfort in the verie latest extremitie. For his sake then be kind in acceptance heereof, and doe him the right he very well deserueth.

It is clear that Burby did not have Spenser's consent to the publication. The latter was in Ireland. Furthermore, Ponsonby was the sole publisher of all of Spenser's acknowledged works during the poet's lifetime: he was Spenser's official publisher. Yet, having come upon one of Spenser's works in manuscript, Burby showed no hesitation in publishing it. In his preface he shows no consciousness of sin. No stationer, just starting out in his trade, would be likely to do anything that could be considered objectionable by the authorities. In doing what he did, Burby was merely following the publishing customs of his day.<sup>84</sup>

Because of the Renaissance notion that a true gentleman should not exhibit his literary products to the common reader, readers today are inclined to suspect that many an advertised

surreptitious publication was merely camouflage. In the following book: "Laura . . . By R. T., Gentleman . . . London, Printed by Valentine Simmes. 1597," in a dedication to Lady Lucy, sister of the Earl of Northumberland, signed by R. T., is written:

Good Madam, I make bold to present unto you a few Toys of mine own travail: . . . hoping your Ladyship will keep them as privately, as I send them unto you most willingly.<sup>35</sup>

The author, therefore, was unwilling that his poems be published. But once more a manuscript came into the hands of a stationer who asserted his right to print whatever he wished without the consent of the author. In "To the Gentle, and Gentlemen, Readers whatsoever," Simmes, the publisher, wrote:

What the Gentleman was, that wrote these verses, I know not; and what She is, for whom they are devised, I cannot guess: but thus much I can say, that as they came into the hands of a friend of mine by mere fortune; so happened I upon them by as great a chance.

Only in this I must confess we are both to blame, that whereas he having promised to keep private the original; and I, the copy, secret: we have both consented to send it abroad, as common . . .<sup>36</sup>

That Simmes was telling the truth is clearly indicated by a statement on the last page of the volume, "A Friend's just Excuse about the Book and Author; in his absence," signed "R. B.":

Without the Author's knowledge, as is before said by the Printer; this Poem is made thus publicly known; which, with my best endeavour, the Gentleman himself, suspecting what is now proved too true, at my coming up, earnestly intreated me to prevent. But I came at the last sheet's printing; and find more than thirty Sonnets not his, intermixt with his. Helped it cannot be, but by the well judging Reader: who will, with less pain distinguish between them, than I, on this sudden, possibly can. To him then, I refer that labour.<sup>37</sup>

R. T.'s poems are mixed with others'. "Helped it cannot be." The publisher puts out his unauthorized publication with no sense of real guilt.

A most interesting publisher's statement concerning surreptitious publication occurs in *A Survey Of The Great Dukes State of Tuscany. In the yeare of our Lord 1596. At London Printed for Edward Blount. 1605.* The publisher addresses the author:

To my worshipfull good friend Maister Robert Dalington. Sir: Being well assured that this your worke (out of your owne protection) would

in the end present it selfe to the generall view; and likely enough some one that loues you not so much, nor knowes you at all, might haue the passing of it: I haue put my selfe in the way of your reproofe; and am become a theefe of this nature, to steale no more from you then I will againe giue to you. If I could perswade you there were a fault in modesty, you would bid me publish the vertue which you tye vp in too straight bonds. My fault is, I haue done that which would haue beene done; and the offer is so full of loue, that it lookes for a punishment accordingly.

Edw: Blount.<sup>38</sup>

That Blount was indeed publishing against Dallington's wishes is attested by the latter's statement eight years later, "Please you but remember how I long since disclaimed the publication of the *View of France* and *Suruay of Tuscany*, (though I could not disauow the things themselues)."<sup>39</sup> Blount, who was friendly to the author, offers as his excuse the possibility that some one else might publish the work—perhaps in a defective form. Clearly, Blount would have been surprised had he been told that his unauthorized publication made him really culpable.

On April 28, 1651 (Eyre, I, p. 365), this entry appears in the Stationers' Register, "Master Mozley. Entred . . . vnder the hands of Sir Nath : Brent and Master Stephens warden a booke called, *Olor Iscanus*, some select Poems & Translations, formerly written by Henry Vaughan, silurest. vjd." Moseley published the volume in the year of entrance, "*Olor Iscanus. A Collection of Some Select Poems, and Translations, Formerly written by Mr. Henry Vaughan Silurist. Published by a Friend . . . London, Printed by T. W. for Humphrey Moseley, . . . 1651.*" The book contains an interesting preface:

The Publisher to the Reader . . . .

The Author had long agoe condemn'd these Poems to Obscuritie, and the Consumption of that Further Fate, which attends it. This Censure gave them a Gust of Death, and they have partly known that Oblivion, which our Best Labours must come to at Last. I present thee then not onely with a Book, but with a Prey, and in this kind the first Recoveries from Corruption . . . . I have not the Authors Approbation to the Fact, but I have Law on my Side, though never a Sword: I hold it no man's Praerogative to fire his own House.<sup>40</sup>

There is little doubt that Moseley was telling the truth when he



stated that he published without "the Authors Approbation."<sup>41</sup> In 1650 *Silex Scintillans* had appeared; in the second edition (1655) Vaughan blasted secular poetry:

And here, because I would prevent a just censure by my free confession, I must remember, that I my self have for many years together, languished of this very sickness; and it is no long time since I have recovered. But (blessed be God for it!) I have by his saving assistance suppress my greatest follies, and those which escaped from me, are (I think) as innoxious, as most of that vein use to be; besides, they are interlined with many virtuous, and some pious mixtures. What I speak of them, is truth; but let no man mistake it for an extenuation of faults, as if I intended an Apology for them, or my self, who am conscious of so much guilt in both, as can never be expiated without special sorrows, and that cleansing and pretious effusion of my Almighty Redeemer: and if the world will be so charitable, as to grant my request, I do here most humbly and earnestly beg that none would read them . . .

It is true indeed, that to give up our thoughts to pious Themes and Contemplations (if it be done for pieties sake) is a great step towards perfection . . .; but he that desires to excel in this kinde of Hagiography, or holy writing, must strive (by all means) for perfection and true holyness, that a door may be opened to him in heaven, Rev. 4. 1. and then he will be able to write (with Hierotheus and holy Herbert) A true hymn.<sup>42</sup>

Is it probable that one who condemned his own nonreligious poetry and held such high ideals of what "a true hymn" should be could, a year after he had published his sacred poems written under the influence of Herbert, consent to the publication of a volume in which one finds such a poem as *The Charnel-house*, containing the very kind of wit for wit's sake and irreligiosity that Vaughan strongly rebuked in the 1655 preface?<sup>43</sup> Yet note that Moseley is explicit in stating (however jokingly) that he has law on his side in publishing the author's manuscript without his consent.

Consideration of one of the strangest and most interesting unauthorized publications of the era begins with the premise that it represents the printing of a dead poet's work—and then the student is surprised to discover that the title page is erroneous, that the true author was quite alive at the time of the publication.

Brittain's *Ida*. Written by that Renowned Poët, Edmond Spencer. London: Printed for Thomas Walkley, and are to be sold at his shop at the Eagle and Child in Brittaines Bursse. 1628.

In his dedication to Lady Mary, Buckingham's daughter, Walkley wrote, "I have presumed to present this little Poëm to your Honourable hand, encouraged onely by the worth of the Famous Author (for that I am certainly assured by the ablest, and most knowing men, that it must be a Worke of Spencers, of whom it were pittie that any thing should bee lost)."<sup>44</sup> Critics' suspicions that the true author was Phineas Fletcher (1582-1650) were confirmed by Ethel Seaton in 1926.<sup>45</sup> The manuscript she discovered in Sion College (in which the poem is called *Venus & Anchises*) has two hitherto unknown introductory stanzas that refer to the author as "Thirsil." This was Phineas Fletcher's poetic pseudonym. What a queer business! Walkley gets his hands on a manuscript which he publishes, thinking it to be Spenser's; in reality, however, he is publishing without permission an erotic poem by a living poet who is now a respectable country churchman.<sup>46</sup>

That it was a necessity, or even a conventional courtesy, for a publisher to ask the living poet's or his heirs' permission before the publisher sent transcriptions (obtained by whatever means) of his poetry to press, is not established by the prefaces of the popular Elizabethan poetical miscellanies. The collector, editor, publisher, or printer—none of these considered such action called for.

The most famous of these is that now universally known as *Tottel's Miscellany*, first published in 1557.<sup>47</sup> Tottel was a very respectable stationer. "Songes and Sonettes, written by the ryght honorable Lorde Henry Haward late Earle of Surrey, and other. Apud Richardum Tottel. 1557. Cum priuilegio." Of the dead authors represented were Wyatt, Surrey, Lord Vaux, Sir Francis Bryan, and Lord Rochford; of the living, John Heywood, Churchyard, and Grimald.<sup>48</sup> Wyatt, Surrey, and Grimald's poems are signed; the others appear among "Vncertain auctours." In his preface, the publisher shows no real sense of guilt in publishing without permission the works of both the quick and the dead:

That our tong is able in that kynde to do as praiseworthely as ye rest, the honorable stile of the noble earle of Surrey, and the weightinesse of the depewitted sir Thomas Wyat the elders verse, with seuerall

graces in sondry good Englishe writers, doe show abundantly. It resteth nowe (gentle rede) that thou thinke it not euill doon, to publish, to the honor of the Englishe tong, and for profit of the studious of Englishe eloquence, those workes which the vngentle horders vp of such treasure haue heretofore enuied thee. And for this point (good rede) thine own profit and pleasure, in these presently, and in more hereafter, shal answere for my defence.

Let us also consider the preface to *The Paradyse of daynty deuises*, "Imprinted at London, by Henry Disle . . . 1576."<sup>49</sup> To the poems in this volume which are not anonymous, there are attached some twenty-five signatures (most of them initials) of authors both living and dead. "The contributors to the earliest editions of the *Paradise* included most of the leading poets of the day, among them Edwards, Hunnis, Lord Vaux, the Earl of Oxford, Churchyard, Jasper Heywood, Francis Kinwelmarsh, and Whetstone."<sup>50</sup> Disle dedicated his book to Sir Henry Compton:

I am bolde to present vnto your honor, this small volume: Entitled, The Paradise of deynty deuises, being penned by diuers learned Gentlemen, and collected together, through the trauell of one, both of woorschip and credite, for his priuate vse: who not long since departed this lyfe, which when I had perused ouer, not with out the aduise of sundry my freendes, I determined by theyr good motion, to set them in print . . . .

Evidently Disle would have been greatly surprised had any one called him a "pirate" or "copy-snatcher." He merely printed what he thought good.

Another famous miscellany was *A Poetical Rhapsody*.<sup>51</sup> The title page of the first edition reads, "A Poetical Rhapsody Containing, Diuerse Sonnets, Odes, Elegies, Madrigalls, and other Poesies, both in Rime, and Measured Verse. Neuer yet published . . . Printed at London by V. S. for Iohn Baily . . . 1602." "To the Reader," signed "Fra: Davison," reads:

Being induced, by some priuate reasons, and by the instant intreatie of speciall friendes, to suffer some of my worthlesse Poems to be published, I desired to make some written by my deere friend Anomos, and my deerer Brother, to beare them company: Both without their consent, the latter being in the low Country Warres, and the former vtterly ignorant thereof. My friendes name I concealed, mine owne, and my brothers, I willed the Printer to suppress, as well as I had concealed the other: which he hauing put in, without my priuity, we

must both now vndergoe a sharper censure perhaps then our nameles works should haue done, & I especially. For if their Poems be liked, the praise is due to their inuention, if disliked, the blame both by them, and all men will be deriued vpon me, for publishing that which they meant to supresse . . . .

If any except against the mixing (both at the beginning and ende of this booke) of diuerse thinges written by great and learned Personages, with our meane and worthles Scriblings, I vtterly disclaime it, as being done by the Printer, either to grace the forefront with Sir Ph. Sidneys, and others names, or to make the booke grow to a competent volume.

There were 176 poems in the first edition of the *Rhapsody*. Most of these were by Francis Davison, Walter Davison, and Anomos (Anonymous). Among the signed poems are printed two hitherto unpublished poems by the dead Sidney; but among these signed poems are also included hitherto unpublished poems of living authors: one by the Countess of Pembroke; one by Campion; one by I. D. (Sir John Davies?); ten by Melophilus, a signature which in succeeding editions is changed to I. D. (Sir John Davies?); one by H. C. (Henry Constable); one by W. R. (Sir Walter Raleigh); three by T. S., T. Sp., Th. Sp. (Thomas Spelman); and one by H. W. (Sir Henry Wotton).<sup>52</sup> Here then is an editor's testimony concerning the unauthorized publication of living authors' works. Davison is witness, too, to his publisher's having printed whatever manuscript poems he wished without asking any one's consent.

The custom of printing transcripts of an author's work without any attempt to get his consent is best illustrated, perhaps, by two poetical miscellanies associated with the name of John Bodenham, an Elizabethan gentleman whom Charles Crawford characterized as "a wealthy man and an omnivorous reader who was perpetually taking notes of sayings and digesting them under appropriate headings, and who engaged his editors to perform the task-work of getting them ready for publication."<sup>53</sup> Under the inspiration of Bodenham four, and perhaps more, anthologies came into being:

a) *Politeuphuia, Wit's Commonwealth*, a collection of "sentences" and "admonitions" in prose drawn from all sources. It was edited and published by Nicholas Ling in 1597.<sup>54</sup>

b) *Wit's Theater of the Little World*, a collection of "examples" in prose. It was edited by Robert Allot, and published by Ling in 1599.<sup>55</sup>

c) *Belvedere Or The Garden of the Muses*, a compilation in verse, under appropriate headings, of "sentences," "similies," and "examples." It was edited, probably, by Anthony Munday, and published by Hugh Astley in 1600.<sup>56</sup>

d) *England's Helicon*, a collection of "pastoral" poetry. It was probably edited by Nicholas Ling, and was published by John Flasket in 1600.<sup>57</sup>

It is from the introductory matter to the two last miscellanies that the following quotations are made. In *Belvedere* the selections are not signed; in *England's Helicon*, they are. The editor of *Belvedere* in "To the Reader" lists his sources:

First, out of many exc[e]llent speeches spoken to her Maiestie, at Tiltings, Triumphes, Maskes, Shewes, and deuises perfourmed in progre: as also out of diuers choise Ditties sung to her; and some especially, proceeding from her owne most sacred selfe . . . Likewise out of priuat Poems, Sonnets, Ditties, and other wittie conceits, giuen to her Honorable Ladies, and vertuous Maids of Honour; according as they could be obtained by sight, or fauour of copying, a number of most wittie and singular Sentences.

Secondly, looke what workes of Poetrie haue been put to the worlds eye, by that learned and right royall king and Poet, IAMES king of Scotland, no one Sentence of worth hath escaped, but are likewise here reduced into their right roome and place.

Next, out of sundry things extant, and many in priuat, done by these right Honourable persons following:

Thomas, Earle of Surrey. The Lord Marquesse of Winchester. Mary, Countesse of Pembroke. Sir Philip Sidney. From Poems and workes of these noble personages, extant.

Edward, Earle of Oxenford. Ferdinando, Earle of Derby. Sir Walter Raleigh. Sir Edward Dyer. Fulke Greuile, Esquier. Sir John Harrington. From diuers essayes of their Poetrie; some extant among other Honourable personages writings; some from priuate labours and translations.

Edmund Spencer. Henry Constable Esquier. Samuell Daniell. Thomas Lodge, Doctor of Physicke. Thomas Watson. Michaell Drayton. John Dauies. Thomas Hudson. Henrie Locke Esquier. John Marstone. Christopher Marlow. Beniamin Johnson. William Shakespeare. Thomas Churchyard Esquier. Thomas Nash. Thomas Kidde. George Peele. Robert Greene. Josuah Syluester. Nicholas Breton.

Geruase Markham. Thomas Storer. Robert Wilmot. Christopher Middleton. Richard Barnefield. These being Moderne, and extant Poets, that haue liu'd together; from many of their extant workes, and some kept in priuat.

Thomas Norton Esquier. George Gascoigne Esquier. Frauncis Kindemmarsh Esquier. Thomas Atchlow. George Whetstones. These being deceased, haue left diuers extant labours, and many more held back from publishing, which for the most part haue been perused, and their due right here giuen them in the Muses Garden.

Besides, what excellent Sentences haue been in any presented Tragedie, Historie, Pastorall, or Comedie, they haue been likewise gathered, and are here inserted in their proper places.<sup>88</sup>

Whatever the stationers of London may have felt about verse taken from copyrighted books (and the editor of *Helicon* has something to say on this very point), there can be no doubt that neither Bodenham nor Munday (?) had any doubts as to whether it was criminal to print hitherto unpublished work by living authors. There is not a shadow of feeling that it was not proper to print poetry by Queen Elizabeth and King James, themselves; "priuat Poems" passed around the Court; unpublished poetry by members of the nobility; the work of living poets; passages from any plays that had been produced. The editor does not distinguish between his right to print the unpublished work of a dead, and the unpublished work of a living, poet. "The Conclusion" is illuminating, too. The editor does not fear the wrath of the poets whose work he has published; he appears confident that none of "the iudiciall and affable iudgements of this age" will disapprove of what has been done:

This worke, which cost no meane paines and labour, to reduce into this forme and method; is thus at the length happily concluded, & commended to the kind acceptance of all gentle and well-disposed minds. If some carping Sycofant (readier alway to cauill and find fault, than correct and amend) shall mislike of the course obserued in this booke, and imagine the heads not aptly or properly placed, (according as in his nice opinion perhaps hee would haue them:) let me thus plainly answer him, That they were neuer meant for the pleasing of his vaine appetite, and therefore hee hath more loue to looke off, than be prying into matters aboue his capacitie. Onely to the iudiciall and affable iudgements of this age, both the paines and pleasure of this labour is published: not doubting, but they will measure it by the iust desert, and censure thereof as their owne kind natures haue ever beene accustomed.

With this final thrust at that ever present antagonist of prefaces and conclusions, the carping critic, the editor has exhausted his supply of trials-to-come.

A similar unawareness of the heinousness of publishing a living author's works is shown in "To the Reader, if indifferent" of *England's Helicon*:

Many honoured names haue heretofore (in their particuler interest,) patronized some part of these inuentions: many here be, that onely these Collections haue brought to light, & not inferiour (in the best opinions) to anie before published. The trauaile that hath beene taken in gathering them from so many handes, hath wearied some howres, which seuered, might in part haue perished, digested into this meane volume, may in the opinion of some not be altogether vnworthy the labour. If any man hath beene defrauded of any thing by him composed, by another mans title put to the same, hee hath this benefit by this collection, freely to challenge his owne in publike, where els he might be robd of his proper due. No one thing beeing here placed by the Collector of the same vnder any mans name, eyther at large, or in letters, but as it was deliuered by some especiall copy comming to his handes. No one man, that shall take offence that his name is published to any inuention of his, but he shall within the reading of a leafe or two, meete with another in reputation euery way equal with himself, whose name hath beene before printed to his Poeme, which nowe taken away were more then theft: which may satisfie him that would faine seeme curious or be intreated for his fame.

Nowe, if any Stationer shall finde faulte, that his Coppies are robd by any thing in this Collection, let me aske him this question, VVhy more in this, then in any Diuine or humaine Authour? From whence a man (writing of that argument) shal gather any saying, sentence, similie, or example, his name put to it who is the Author of the same. This is the simplest of many reasons that I could vrdege, though perhaps the neerest his capacitie, but that I would be loth to trouble my selfe, to satisfie him. Further, if any man whatsoeuer, in prizing of his owne birth or fortune, shall take in scorne, that a far meaner man in the eye of the world, shall be placed by him: I tell him plainly whatsoeuer so excepting, that, that mans wit is set by his, not that man by him. In which degree, the names of Poets (all feare and dutie ascribed to her great and sacred Name) haue beene placed with the names of the greatest Princes of the world, by the most autentique and worthiest iudgements, without disparagement to their soueraigne titles: which if any man taking exception thereat, in ignorance know not, I hold him vnworthy to be placed by the meanest that is but graced with the title of a Poet. Thus gentle Reader I wish thee all happines.

L. N."

This preface is highly illuminating. Although he raises the problem of utilizing published (i.e., copyrighted) volumes, L. N. certainly takes it for granted that there is nothing wrong in his printing whatever manuscript work of a "humaine Authour" he has selected. "The hundred and fifty poems in the first edition of the *Helicon* are attributed to some thirty authors, not to mention 'Ignoto' and 'Anonymous.'"<sup>60</sup> Living poets who had poems published here that had never appeared in print before were: Nicholas Breton,<sup>61</sup> Michael Drayton,<sup>62</sup> Sir Edward Dyer,<sup>63</sup> Anthony Munday,<sup>64</sup> Henry Chettle,<sup>65</sup> Richard Barnfield,<sup>66</sup> and Thomas Lodge.<sup>67</sup> William Browne of Tavistock appeared in the second edition, 1614.<sup>68</sup> Sir Walter Raleigh and Sir Fulke Greville originally had poems ascribed to them; but the editor evidently discovered that the ascriptions were erroneous, for cancel slips with "Ignoto" on them were pasted over the names.<sup>69</sup> "Many here be, that onely these Collections haue brought to light, & not inferiour (in the best opinions) to anie before published." But it does not occur to L. N. that there was anything untoward in his publishing them. He thinks of possible objections to his miscellany—one of which is that some, overly modest, will not like seeing their authorship publicly exposed by the names after the poems. It does not seem to have entered L. N.'s head, however, that they could possibly object to the unsanctioned publication of their poems.

In 1591 Richard Jones, who has been termed "on the whole . . . an orderly member" of the Stationers' Company,<sup>70</sup> published: "Brittons Bowre of Delights. Contayning Many, most delectable and fine deuices, of rare Epitaphes, pleasant Poems, Pastorals and Sonets. By N. B. Gent."<sup>71</sup> This contained fifty-six poems, some of which were *not* by Breton, the printer himself signing one of the poems with the initials of the Earl of Oxford.<sup>72</sup> To quote Professor Hyder Rollins (the italics in the first and second paragraphs are mine):

Jones [in "To the Gentlemen Readers"] informs his gentlemanly readers that *The Bower* was printed "in the Authours absence" and that faults, like misprints, are due to his own negligence, not to "any ignorance in the Author." *Indirectly he shows beyond question that the book is a publication made without the knowledge of the author, or authors.* "I am (onely) the Printer of them, chiefly to pleasure you, and partly profit my selfe," he asserts. But it is practically certain that Jones was compiler and editor as well, and that he made "improvements" in the texts . . .



Evidently Jones put Breton's name on the title-page to attract buyers. In this action there was nothing especially discreditable; or, at any rate, various printers before as well as after 1591 indulged in the same practise with other popular writers, Shakespeare among them. It seems credible, too, that in putting Breton's name in large type on the title-page Jones did not intend to father all the poems on him. One poem, indeed (No. 40), he signed with the initials of its real author, the seventeenth Earl of Oxford. Fortunately, Breton gave his own views of the matter, vigorously denouncing Jones for publishing the compositions of other writers under the name *Britton*, but showing no especial indignation or surprise at finding some of his own poems published without his knowledge or consent . . .

In *The Pilgrimage To Paradise, Ioynd With The Countesse of Pembrookes loue* (1592) Breton emphatically voices his opinions. His preface "To the Gentlemen Studients and Scholers of Oxforde," dated April 12, is followed at the bottom of the page by the note:

Gentlemen there hath beene of late printed in london by one Richarde Ioanes, a printer, a booke of english verses, entituled *Bretons bower of delights*: I protest it was donne altogether without my consent or knowledge, & many thinges of other mens mingled with a few of mine, for except *Amoris Lachrimae*: an epitaphe vpon Sir Phillip Sidney, and one or two other toies, which I know not how he vnhappyly came by, I haue no part with any of them: and so I beseech yee assuredly belecue.<sup>78</sup>

The different attitudes toward poetry which was in manuscript and hence was the property of whoever printed it, and poetry which had been printed and hence had achieved stationer's copy-right, are illustrated by the subsequent fortunes of *The Bower*. Jones reprinted it in 1597. In 1593, he was preparing to issue another collection of poetry with Breton's name (i.e., "N. B.") again on the title page, *The Arbor of Amorous Devices* (1594, entered January 7; II, p. 643)—although in the preface he admitted multiple authorship. Late in 1593, however, *The Phoenix Nest* was published and "made public property of a number of lyrics that he [Jones] had intended to print, so that in his preface to *The Arbor* he regretfully admits: 'had not the Phenix preuented me of some of the best stuffe she furnisht her nest with of late: this Arbor had bin somewhat the more handsomer trimmed vp, beside a larger scope for gentlemen to recreat them selues.' Finding himself forestalled, Jones discarded the poems which *The Phoenix Nest* had used, and in order to make *The Arbor* of proper

size he transferred to the end of it ten poems . . . that he had already printed in *The Bower*."<sup>74</sup> One could hardly find better substantiation of the thesis that while stationer's rights were respected, author's rights (as we conceive them) were not. The fact that Breton did not consider Jones culpable for publishing his poems without permission is instanced by his own words to *The Pilgrimage to Paradise* and by his subsequent choice of Jones as the publisher of his *Old Madcap's New Gallimaufry*, 1602.

Another example of a poetical miscellany, gathered from manuscripts hither and yon by its publisher, is similar to *Brittons Bowre of Delights* in that the publisher fathered all its contents on one poet, whose well-known name would be sure to help the sale of the volume:

The Passionate Pilgrime. By W. Shakespeare. At London Printed for W. Iaggard, and are to be sold by W. Leake, at the Greyhound in Paules Churchyard. 1599.

Sidney Lee did a thorough job in tracking down the sources of the twenty pieces in Jaggard's copy.<sup>75</sup> Numbers 1 and 2 are variants of Shakespeare's sonnets 138 and 144; Jaggard "clearly derived his text from detached copies privately circulating among collectors of verse." Numbers 3, 5, and 16 are excerpts from *Love's Labor's Lost*, probably printed from private transcripts rather than from the quarto. Numbers 4, 6, 9, and 11 are four sonnets on Venus and Adonis—not by Shakespeare. Of No. 9 there was an early variant MS copy in Halliwell-Phillipps' possession. Number 11 had already been published in Griffin's *Fidessa* (1596), but textual variation again points to Jaggard's dependence on a manuscript. Numbers 8 and 20 come from a printed text, Barnfield's *The Encomion of Lady Pecunia* (1598), published by William Jaggard's brother, John. Number 17, also probably by Barnfield, had been published in Weelkes' *Madrigals* (1597), but the textual differences indicate that William Jaggard employed a manuscript here too. Number 19 is four stanzas of Marlowe's "Come live with me" plus a single stanza of Raleigh's reply. This is the first appearance of the poem in print. Number 12 the publisher obtained from MS, too; it appears in a longer and different version in the 1631 edition of Deloney's *Garland of Good Will*.<sup>76</sup> The authorship of No. 15 is unknown. Numbers 7, 10, 13, 14, and 18 were also apparently derived by Jaggard from

manuscript; No. 18 is extant in a variant MS. So everything in the collection came from various MSS except Nos. 8 and 20 which had been printed by the publisher's brother.

Thus *The Passionate Pilgrim* is but another example of a collection of poems which the stationer put out without troubling to find whether the various authors were willing to have their work printed. William Jaggard—later the publisher of Shakespeare's First Folio (1623)—in *The Passionate Pilgrim* went even beyond the Elizabethan stationer's typical cold-blooded dismissal of author's rights. On its title page he announced that all the poems were by William Shakespeare. And what could Shakespeare do? And what could the other authors do?

Jaggard was to add to his effrontery. In 1612 he brought out what is the third extant edition:

*The Passionate Pilgrime. Or Certaine Amorous Sonnets, betweene Venus and Adonis, newly corrected and augmented. By W. Shakespeare. The third Edition. Whereunto is newly added two Loue-Epistles, the first from Paris to Hellen, and Hellens answere back againe to Paris. Printed by W. Iaggard. 1612.*

The two added Love-Epistles (and also seven other much shorter poems) came from Thomas Heywood's *Troia Britanica*, published by William Jaggard in 1609. Heywood's anger at Jaggard's negligence in printing this work is expressed in the former's epilogue to *An Apology for Actors* (1612). Then Heywood adds:

Here likewise, I must necessarily insert a manifest iniury done me in that worke, by taking the two Epistles of *Paris to Helen*, and *Helen to Paris*, and printing them in a less volume, vnder the name of another, which may put the world in opinion I might steale them from him; and hee to doe himselfe right, hath since published them in his owne name: but as I must acknowledge my lines not worthy his patronage, vnder whom he hath publisht them, so the Author I know much offended with M. *Iaggard* (that altogether vnknowne to him) presumed to make so bold with his name."<sup>1</sup>

Jaggard must have taken Heywood's words seriously, for Shakespeare's name disappears from the title page of the second issue of the 1612 *Passionate Pilgrim*. But note that Shakespeare, like Breton, objected not to surreptitious publication but to wrong ascription.

The evidence as to the stationers' attitude toward unsanctioned publication may be summed up by quoting from Richard

Jones, the publisher's, dedication to Sir Francis Walsingham of *Cyuiile and vncyuiile life* (1579). The former's viewpoint requires no comment:

The Author thereof (as a thinge vnworthy) is neither content it should presume to your presence, nor passe among the wise. Notwithstanding, without his leaue, I make bolde to aduenture the one and the other:<sup>78</sup>

Jones would have been puzzled if a contemporary had put him in the category of those pirates who reprinted without permission books copyrighted by other stationers—puzzled, and not a little indignant. Thus the second conclusion of this chapter must be that stationers did not regard publication without the author's consent as in any way strange, illegal, or vicious. Remembering the first conclusion, it may be declared that both within and without the Stationers' Company such publication was not contrary to the publishing ethics and customs of Shakespeare's time.

## V

What the Elizabethan writer's attitude was toward surreptitious printing of his work must now be determined. It will be remembered that Breton showed "no especial indignation or surprise at finding some of his own poems published without his knowledge or consent."

In *Sonnets to the Fairest Coelia . . . London, Printed by Adam Islip, for W. P. 1594*, is the following address "To the Reader":

Courteous Reader,

Whereas I was fully determined to have concealed my Sonnets as things privy to myself; yet, of courtesy, having lent them to some, they were secretly committed to the Press and almost finished, before it came to my knowledge.

Wherefore making, as they say, Virtue of Necessity, I did deem it most convenient to prepose my Epistle, only to beseech you to account of them as toys and amorous devices; and, ere long, I will impart unto the World another Poem, which shall be both more fruitful and ponderous.

In the mean while, I commit these, as a pledge, to your indifferent censures.

London, 1594.

W. Percy.<sup>79</sup>

It does not much matter whether Percy was playing the gentleman or telling the truth. His words show the custom of the time.

Apparently a writer had to swallow as best he could unauthorized publication of his work; apparently he was helpless to prevent it.

George Norton entered *The Shepherd's Hunting* on October 8, 1614 (III, p. 553), "vnder the handes of master Doctor Nid and master warden Adames." It was published the next year, "The Shepherds Hunting: . . . By George Wither, Gentleman . . . London: Printed by Thomas Snodham for George Norton . . . 1615." For this volume, the poet wrote "A Postscript to the Reader" which reads:

I kept it to myself, . . . not dreaming ever to see it published. But now, by the overmuch persuasion of some friends, I have been constrained to expose it to the general view . . . This that I have here written was no part of my study, but only a recreation in imprisonment and a trifle, neither in my conceit fitting, nor by me intended to be made common; yet some, who it should seem esteemed it worthy more respect than I did, took pains to copy it out, unknown to me, and in my absence got it both authorized and prepared for the press; so that if I had not hindered it, last Michaelmas term had been troubled with it. I was much blamed by some friends for withstanding it, to whose requests I should more easily have consented, but that I thought, as indeed I yet do, I should thereby more disparage myself than content them . . . Neither shall any more of them [his "light" poems], by my consent, in haste again trouble the world, unless I know which way to benefit it with less prejudice to my own estate. And, therefore, if any of those less serious poems which are already dispersed into my friends' hands, come amongst you, let not their publication be imputed to me, nor their lightness be any disparagement to what hath been since more serious written, seeing it is but such stuff as riper judgments have in their far elder years been much more guilty of . . . Lastly, if you think it hath not well answered the title of the *Shepherd's Hunting*, go quarrel with the stationer, who bid himself god-father, and imposed the name according to his own liking; and if you, or he, find any faults, pray mend them.

Valete.<sup>80</sup>

A careful analysis of what Wither says in the foregoing epistle shows that some of Wither's friends copied out the poem without his knowledge and, while he was away, had it authorized and prepared for the press. It is not clear whether "hindered" refers to Wither's stopping his friends' giving the manuscript to a stationer or to his stopping the stationer from printing. If Wither's account can be trusted, it must be that he restrained Norton from

publishing for some time after the latter's entrance on October 8, 1614. Yet almost immediately Wither declares that if any more of his less serious work, now abroad in his friends' hands, reaches a stationer and is published, the reader is not to consider him responsible for the publication. On the one hand Wither declares that he stopped an unauthorized publication; on the other, he implicitly claims that he is helpless to stop such a publication. Wither does supply us with a clue to the correct answer. If he did not have enough control over Norton in the selection of the title of the book, is it conceivable that he could really have restrained the latter from printing the volume had the latter decided to do so? It is probable that Norton, immediately after he had entered the book, acceded to the poet's request not to publish at the time even though he, as a stationer, did not have to accede to this request. Finally, let it be noted that the stationer who established copyright on October 8, 1614, was the publisher in 1615.

Another statement by Wither on publications printed without the author's permission may be examined. *Fair Virtue* was entered by Marriot and Grismand on January 31, 1622 (IV, p. 64). It was published in the same year as, "Faire-Virtue, The Mistresse of Phil'arete. Written by Geo: Wither . . . London, Printed for Iohn Grismand. MDCXXII." Three issues appeared in that year: two with the poet's name on the title page, and one with "Written by him-selfe." Wither wrote in "The Stationer to the Reader":

This being one of author's first poems was composed many years ago, and unknown to him gotten out of his custody by an acquaintance of his: and coming lately to my hands without a name, it was thought to have so much resemblance of the maker, that many upon the first sight undertook to guess who was the author of it, and persuaded that it was likely also to become profitable both to them and me.

Whereupon I got it authorized according to order, intending to publish it without further inquiry. But, attaining by chance a more perfect knowledge to whom it most properly belonged, I thought it fitting to acquaint him therewithal, and did so; desiring also both his good-will to publish the same and leave to pass it under his name. Both which I found him very vnwilling to permit, lest the seeming lightness of such a subject might somewhat disparage the more serious studies which he hath since undertaken.

Yet doubting, this being got out of his custody, some imperfecter copies might hereafter be scattered abroad in writing, or be, unknown

to him, imprinted, he was pleased, upon my importunities, to condescend that it might be published without his name . . . .

I got him to write this epistle for me; and have thereunto set my name . . . .

John Marriot<sup>81</sup>

The author's holograph was taken by a friend. In time the manuscript came to Marriot's hands. Some to whom he showed it knew who the author was. The stationer had the poem licensed and intended "to publish it without further inquiry." Discovering more definitely who the writer was, Marriot "thought it fitting" to tell Wither of the publication, desiring to obtain his "good-will" for the publication and "leave" to use his name; but the poet was unwilling to give either his "good-will" or "leave." Wither, however, considering that transcripts which might have been made of the holograph might be printed without his knowledge, consented to Marriot's publication if the latter did not use his (Wither's) name on the title page. Wither, therefore, declares that it was not imperative for the stationer to have the author's permission before publishing. Marriot "thought it fitting" to tell the poet of the forthcoming publication, wishing to get his "good-will." Wither, himself, was afraid the poem would be published without his knowledge; nor does he seem to be aware of any way of stopping such an anticipated unsanctioned publication.<sup>82</sup>

The author's fear that unless he had the work imprinted from a good copy, some stationer might, without his knowledge, publish a corrupt copy is again reflected in Henry Olney's dedication to Cornwallis' *Essayes* (1600):

Although I know that worthy Knight, the Author of these Essayes, hateth nothing more then comming in publicke; yet many Copies of them being bestowed, by often transcription (as it many times happeneth) they might haue beene by a mercenarie hand fowly corrupted and altered in sence; and, both in his absence and mine, deliuered to some Printer, who to make present gaine, would haue published them vnpolished & deformed without any correction; to preuent which, hauing in my hands a perfect Copie and being inwardly priuate with his priuatest conceits, I thought it better to diuulge them then to aduenture that hazard. To couer this presumption, I haue made your Ladships partners in the patronage because, I am sure, howsoever hee shall dislike the publishing; yet it shall please him that your Ladships' names are honored in the forefront of his writings.<sup>83</sup>

According to this statement, the only means to prevent a corrupt copy from being published without the author's knowledge was to anticipate such publication by having a good copy printed in time. Evidently this was the only feasible means open to Elizabethan writers.

This generalization is borne out by the next case, in which the author had to act rapidly to prevent an unauthorized publication from an imperfect manuscript. On June 5, 1628, Edward Blount "Entred for his Copie vnder the handes of Master Doctor Worall and both the wardens A booke Called Earles Characters" (IV, p. 198). The title page of the first edition reads:

*Micro-cosmographie or, A Peece of the World Discovered; in Essayes and Characters* London, Printed by William Stansby for Edward Blount, 1628.<sup>84</sup>

The publisher has an address "To the Reader" prefacing the work:

I Haue (for once) aduentur'd to playe the Mid-wifes part, helping to bring forth these Infants into the World, which the Father would haue smothered: who hauing left them lapt vp in loose Sheets, as soon as his Fancy was deliuered of them; written especially for his priuate Recreation, to passe away the time in the Country, and by the forcible request of Friends drawne from him; Yet passing seuerally from hand to hand in written Copies, grew at length to be a prety number in a little Volume: and among so many sundry dispersed Transcripts, some very imperfect and surreptitious had like to haue past the Presse, if the Author had not vsed speedy meanes of preuention: When, perceiuing the hazard hee ran to be wrong'd, was vnwillingly willing to let them passe as now they appeare to the World.

A young wit of the time, a fellow of Merton College, allows transcripts of his characters to circulate among his friends. Repeated copies are made—and as new characters issue from Earle's pen, transcripts giving rise to further transcripts come into being. An enterprising publisher (Blount?) gets a volume of these "dispersed Transcripts" into his hands and is about to send them to the press. Earle knowing or fearing that repeated copying—who knows in how careless a fashion—has corrupted some of the copy which the publisher proposes to have printed is compelled to act quickly. "Vnwillingly willing," in order to escape the "hazard" of having work known to be his appear before the world in mangled form, he gathers a collection of his characters and, without revising them, sends them off hurriedly to Blount. There is



no indication that Earle could have prevented the anticipated unauthorized publication. In fact it appears that he was forced to accept a publication, whether willing or unwilling. The only satisfaction he had was to make certain that copy which was not corrupt was utilized.

There can be no reasonable doubt that Blount's story is true. Blount's assertion that Earle's work existed in various transcripts, some of which differed widely from the author's originals, is confirmed by the presence among the Hunter MSS in Durham Cathedral Library of a manuscript dated December 14, 1627, containing forty-six characters (three of which appear nowhere else). J. T. Fowler collated them with the printed editions and discovered that they had omissions, additions, substitutions of different words and phrases, and whole sentences differently expressed.<sup>86</sup> Edward Hyde, a good friend of Earle, refers to *Micro-cosmographie* as "some very witty and sharp discourses being published in print without his consent."<sup>88</sup>

A further source of evidence concerning the Elizabethan author's reaction to surreptitious publication of his work is to be found in the so-called shorthand sermons, sermons which the title pages claim were taken down from the preacher's spoken words by "characterie." Such a publication is "An Ordinary Lecture. Preached at the Blacke-Friers, by M. Egerton, And taken as it was vttered by Characterie . . . Iohn Windet for Iohn Dalderne . . . 1589." It had been entered under a licenser's and the Wardens' hands to Windet on July 21, 1589 (II, p. 525). There is no notice of assignment, but on June 25, 1603, Walter Burre entered the same sermon under a different title (III, p. 239). The title page of Burre's edition reads: "A Lecture preached by Maister Egerton, at the Blacke-friers, 1589. taken by Characterie, by a yong Practitioner in that Facultie: and now againe perused, corrected and amended by the Author . . . V. S. for Walter Burre." To quote from Egerton's preface to Burre's edition:

If any say, why doe you then set forth this simple and slender Sermon? I answere, that I doe not set it forth, but being set forth long agoe, (by one who as it seemeth to me, respected the commendation of his skill in Characterie, more than the credit of my ministry) and now lately brought to my hands from him that had the copie thereof, I was content to take a little paines in perusing of it. Surely, If I had intended to haue published any part of my labours in print, & found my self

called therevnto by the church of God, I would haue made choice of the matter and subiect, and beene more carefull in the manner of handling . . . . And therefore that which I now do, is rather somewhat to qualifie an error that cannot be recalled, then to publish a worke that may be any way greatly commodious to other . . . .<sup>87</sup>

What Egerton tells us is that he had not intended to publish the sermon; that it was published from a corrupt transcription; that more than ten years later the stationer who then possessed the copyright asked him to correct the faults of the first edition prior to the publication of the second edition; and that he complied because he wished a better text of his work to be extant. It is clear, however, that Egerton had not the ghost of a notion that he could have stopped the publication of either the first or second edition; and, furthermore, that he recognized that the stationer who owned copyright based on the corrupt copy owned the copyright of the work.

In his preface to the first edition, the stenographer, "A. S.," showed no awareness of its being improper not to ask Dr. Egerton whether he wanted his sermon published. On the contrary, he stressed the point that now sermons could be preserved for posterity by means of shorthand:

if some occasion had not hindered, I would haue made thee partaker, (and may hereafter) of other godly mens labours in this kind, that, although one cannot heare al: yet by Charactery and my indeuor, the diuers gifts of God may by this meanes bee communicated to many . . . .<sup>88</sup>

Since he had failed to do so in Egerton's case, the reader can be quite sure that A. S. had no intention of bothering to obtain the consent of these other godly men before publishing their labors.

Another preface to a shorthand sermon substantiates the above conclusions:

William Westermann's *The Faithful Subject, or, Mephiboseth, and Salomon's Porch, or A Caveat for them that enter God's House: in two Sermons Preached at Paules Crosse*, had been entered by Gregory Seaton on the 11th of October 1608 [III, p. 392] and printed by Jaggard for him and Simon Waterson late in the same year. In the preface, "The Printer to the Reader," we learn of some of the difficulties which surrounded publication. *The Faithful Subject* "was threatened by some (that catch words as they fly) to have beene pressed from the notes hastily taken which to prevent, the author promised to deliver his owne

Copy"—evidently to Seaton either to take the place of a surreptitiously obtained copy or to forestall a piracy about to be committed by another stationer.<sup>89</sup>

Westermann was forced to deliver a "good" text to the press in order to forestall the publication of a "bad" text. Evidently, the presumptive publisher of the bad copy was the same stationer who brought out the good copy. Westermann could not prevent publication of a bad text. H. T. Price, who has made a special study of shorthand sermons, reports that "No pirate of sermons [publisher or stenographer] appears to have been prosecuted."<sup>90</sup> One can see why this is so, for in Shakespeare's time what possible charges could be leveled in court against either person?

Finally, a statement should be introduced which certainly is clear as to whether an Elizabethan author, learning that one of his works was being printed without his knowledge or consent, could restrain the stationer from publishing that work. An English translation of *Grobianus* appeared in 1605 as *The Schoole of Slovenrie: Or, Cato Turn'd Wrong Side Outward*. It contained a preface "To all that can write and reade and cast accompt," which was signed by the translator, "Yours in print against his will, R. F. Gent. and no more." He wrote, "The truth is, this translation was halfe Printed, ere I knew who had it: So that Quo fata trahunt, without prevention or correction the fooles bolt must needes be shot. And this is it."<sup>91</sup> R. F.'s words are clear as to whether authors in his day thought they could stop the publication of works which were being printed without the author's consent but with his knowledge.

The first and second conclusions of this chapter were that neither stationers nor nonstationers in Shakespeare's time regarded what we term surreptitious publication as in any way illegal or criminal. It has now been ascertained—and this is the third conclusion—that authors, though definitely not liking the custom of the time, had, according to their own words, only three feasible ways of combating surreptitious publication: (a) arranging for the publication of a good text before a bad text fell into the hands of a stationer and was published, (b) sending a good copy to the stationer who was preparing to print a bad copy, or (c) sending a good copy to the stationer who was about to bring out a new edition of the work in which he owned copyright based on a bad copy. These authors do not recognize that a means existed of

stopping publication of their works without their consent; they only recognize that they can make such publication impossible by sanctioning publication, that is, by sending good copy to the stationer themselves. Publication there had to be, willy-nilly, if an author was to escape seeing an unsanctioned and possibly corrupt text appear on the market.

## VI

What were the other possible means which an author or his assigns could use to stop an unsanctioned publication? One obvious way would be to buy off the offending stationer. I know of only one example of such bribery in Elizabethan times—and interestingly enough, it concerned a play. Henslowe's *Diary* tells us that in January, 1600, the Admiral's men were preparing a new play, *Patient Grissell* (folio 67).<sup>92</sup> Two months later the following notation (folio 68) was made:

Lent vnto [the c] Robarte shawe the 18 of march 1599 to geue vnto the printer to staye the printing of patient gresell the some of. ....	}	xxxx s
by me Robt Shaa		

Henslowe presumably began to write "the company" and then changed to the company's representative. Ten days later, Cuthbert Burby entered the play (III, p. 158). (It was published in 1603 by Henry Rocket, who had formerly been Burby's apprentice and had taken his freedom in 1602 [II, pp. 201, 731].)

Another method of stopping a publication which the author or his assigns had not sanctioned is indicated in a letter written by Fulke Greville to Sir Francis Walsingham, Secretary-of-State, in November, 1586, shortly after Sidney's death:

Sir, [writes Greville] this day one Ponsonby, a book-binder in Paul's Churchyard, came to me and told me that there was one in hand to print Sir Philip Sidney's old *Arcadia*, asking me if it were done with your honour's voice or any other of his friends. I told him to my knowledge, no, then he advised me to give warning of it, either to the archbishop or Doctor Cousin, who have, as he says, a copy to peruse to that end. Sir, I am loath to renew his memory unto you, but yet in this I must presume, for I have sent my lady, your daughter, at her request, a correction of that old one, done four or five years since, which he left in trust with me, whereof there is no more copies, and fitter to be printed than the first, which is so common: notwithstanding, even

that to be amended by a direction set down under his own hand, how and why, so as in many respects, especially the care of printing of it, is to be done with more deliberation.<sup>93</sup>

Since no edition of the *Arcadia* appeared in 1586-87; and since on August 23, 1588 (II, p. 496), Ponsonby entered the work, "authorised vnder the Archbishop of Canterbury [his] hand," thus establishing copyright, the unsanctioned publication was thwarted. Ponsonby's edition of the incomplete but revised *Arcadia* appeared in 1590.<sup>94</sup> Thus one way of stopping surreptitious publication was simply to persuade an official licenser to refuse a license to the copy. It may be taken for granted that in 1586 the Archbishop or Dr. Cousin had refused to license *Arcadia* for the unknown stationer who, therefore, had been unable to print the book or establish copyright. Remark particularly that this method of stopping an unsanctioned publication was suggested by a stationer. There is no evidence that at any time the licensers concerned themselves over the provenance of the copy they were perusing for the stationers.<sup>95</sup>

Other than buying off the stationer, or having the licenser refuse official authorization, was there any other way of stopping a publication which was being printed with the author's knowledge but without his consent?

The history of the first printing of Bacon's *Essays* shows what a very resourceful author could do in the face of a proposed unsanctioned publication, but it does not illustrate a method which could be generally employed by authors. On January 24, 1597 (III, p. 79), this entry appears in the Register:

Richard Serger. Entred for his Copie vnder thande of master Warden Dawson a booke entituled Essayes. of M. F. B. with the prayers of his Sovereigne. vjd

(In the margin is: "Cancellatur ista intratio per curiam tentam 7 februarij.") Three entries below, on February 5, is the following entrance:

Humfrey hooper. Entred for his copie vnder thandes of Master Frauncis Bacon. master Doctor Stanhope master Barlowe, and master warden Dawson, a booke intituled Essaies, Religious meditations, Places of Perswasion and Disswation by master Frauncis Bacon. vjd

Bacon's dedication to his brother in the 1597 edition, J. Windet for H. Hooper, indicates part of what happened:

Louing and beloued Brother, I doe now like some that haue an Orcharde ill neighbored, that gather their fruit before it is ripe, to preuent stealing. These fragments of my conceites were going to print; To labour the staie of them had bin troublesome, and subiect to interpretation; to let them passe had beene to aduenture the wrong they mought receiue by vntrue Copies, or by some garnishment, which it mought please any that should set them forth to bestow upon them. Therefore I helde it best discreation to publish them my selfe as they passed long agoe from my pen, without any further disgrace, then the weaknesse of the Author . . . . Only I disliked now to put them out because they will be like the late new half-pence, which though the Siluer were good, yet the peeces were small. But since they would not stay with their Master, but would needes trauaile abroade, I haue preferred them to you that are next myself . . . . From my Chamber at Graies Inne this 30. of Ianuarie, 1597.<sup>96</sup>

A. W. Pollard added a highly significant bit of evidence:

The dates connected with the book's appearance lend some probability to the fear of piracy which Bacon expressed in his preface. Although this is dated 'From my Chamber at Graie's Inne this 30 of Ianuarie, 1597' . . . , the copy now in the British Museum was bought on the seventh of the following month, as attested by the inscription on the title-page, *Septimo die Februarii, 39 E[izabethae] R[eginae], pretium xxd*. The high price paid shows, moreover, that the dainty vellum jacket, encircled with a gold fillet and with a flower in the centre, was already on the book, so that the printing off of the preliminary sheet and the casing of the book in its 'trade binding' must have been accomplished within a week, quick work, which suggests a fear of anticipation.<sup>97</sup>

The general outline of what happened is, I believe, clear, however dubious some particulars must forever remain. Richard Sergier, a publisher who dealt chiefly in theological works, came into possession of a manuscript of Bacon's essays. Junior Warden Dawson allowed him to enter this copy on January 24. It seems that Sergier had not obtained an official license and that Dawson did not demand one, for there is no proviso "provided he get further authority." Bacon heard rumors of Sergier's projected edition. Bacon knew that he would run into difficulties if he tried to prevent the essays from being printed. (The words, "To labour the staie of them had bin troublesome," coming from the pen of one of the greatest lawyers of his day, are highly significant.) He hit upon a plan that would satisfy his sense of revenge

as well as ensure him of a personally supervised edition. I say "revenge" advisedly, for the whole matter could have been solved easily by Bacon's giving Sergier the copy which he gave Hooper. Moreover, that Bacon was truly angry at what he considered Sergier's obstreperousness is apparent in Bacon's dedication. He hurriedly prepared a manuscript containing ten essays and other writings and gave it to Hooper, subscribing it with his own name. In explanation of this one must remember that the name of Bacon, a bosom friend of the great Lord Essex, would represent good authority to the Wardens. Whether he himself or Hooper obtained the official approval of two of the bishops' deputies does not call for discussion. It is on record, however, that Hooper had three official authorities, whereas Sergier had not even one. I suspect, therefore, that either Hooper or Bacon knew of this deficiency in Sergier's entrance and deliberately sought to overwhelm him because of this flaw. At any rate, Hooper had the whole book printed and bound before February 7. It is probable, as Pollard implies, that the printing of the body of the book had been completed before January 30. Not only is the "quick work" between January 30 and February 7 indicative of extreme hurry on Hooper's part, it is also sufficient proof to me that Bacon first heard of Sergier's edition after the latter had made his entrance of January 24. "These fragments of my conceites were going to print" is a sentence which exactly fits the situation of a stationer after he has made an entrance but before he has begun presswork. In view of what has just been said concerning the completion of the presswork on or soon after January 30, the fact that the wording of the title page (*Essayes. Religious Meditations. Places of perswasion and disswasion.*) exactly parallels the wording of the title in his entrance probably means that on February 5 Hooper brought the completed book to Dawson for entrance. On this title page were the significant words "Seene and allowed." Hooper also had with him a triple official authorization—possibly on the last leaf of the printed text itself. What was Warden Dawson to do? He had allowed copyright for the book to Sergier less than two weeks before, yet here was Hooper with the book already printed in his hand, and with a title page asserting the fact that Hooper's copy had received the approval of not one, not two, but three official authorities. Sergier had not even had one such authority. Undoubtedly it was the double force of triple author-

ization and the book's being already printed that compelled Dawson to recognize Hooper's claim to copyright and to allow the latter to enter. The very fact that Hooper was able to do this meant that Sergier's copyright was being superseded. It was inevitable that the matter come before the Court of Assistants, and it was equally inevitable that on February 7 they should come to the same decision as Dawson's. Hooper knew they would, for he had the book on the stalls by the seventh, and possibly before.

Here therefore is a case of an author's being able to circumvent an unauthorized publication of his work. In reality, however, he did not circumvent publication; he merely circumvented a particular printer. Bacon, like John Earle, was forced to send good copy to the press in order to prevent the printing and publication of bad copy. What Bacon really did was to wrest copyright from a stationer who had apparently established copyright by means of an entrance of bad copy. But Bacon's ability to do this depended on very special conditions and circumstances. Bacon's stopping of a surreptitious publication does not indicate a method available to authors of preventing stationers from publishing unsanctioned editions of their works. As a matter of fact, the maneuvering which I have tried to unravel should show how very difficult such a task was.

Now the fact that the methods of bribing the stationer and having authorization refused could be utilized by the author who knew of a forthcoming unsanctioned publication has been established by reference to two, and only two, particular occasions. I am sure that any stationer, if he were paid enough, would have suspended such a publication. But although the author could stop publication by means of a bribe, he could not, apparently, keep the stationer from establishing copyright with the copy he had or from publishing at some future time. The method of having the licenser refuse authorization depended on whether the author (or his assigns) had great influence at Court *and* on whether the copy had not already been licensed. I know of no more cases, except the ones I have given, of the employment of either method. Bacon's method of depriving the stationer of copyright before publication is also, so far as I know, unique. The fourth conclusion in this chapter should be that aside from sending authorized copy to the press, there were no feasible means of preventing unauthorized publication.



## VII

Attempts to deprive the stationer of copyright after he had published a book without the consent of the author or his assigns are the next consideration. The matter of copyright had nothing to do with the author's permission. Wither wrote in his *The Schollers Purgatory* (1625 ?):

Yea, by the lawes and Orders of their Corporation, they can and do sette vpon the particuler members thereof, a p[e]rpetuall interest in such Bookes as are Registered by them at their Hall, in their seuerall Names: and are secured in taking the ful benefit of those books, better then any Author can be by vertue of the Kings Grant, notwithstanding their first Coppies were purloyned from the true owner, or imprinted without his leaue.<sup>98</sup>

In 1591 Thomas Newman, who appears to have been a thoroughly respectable stationer, brought out, as has been seen, the first edition of Sidney's *Astrophel and Stella*, to which, according to the title page, he appended "sundry other rare Sonnets of diuers Noblemen and Gentlemen." Twenty-eight of the latter were by Samuel Daniel, who in the next year published twenty-five of them, carefully revised, however, in the fifty sonnets of his *Delia* (Printed by I. C. for Simon Waterson, 1592).<sup>99</sup> In his dedication in *Delia* to "the Ladie Mary, Countesse of Pembroke," Daniel wrote:

Right honorable, although I rather desired to keep in the priuate passions of my youth, from the multitude, as things vttered to my selfe, and consecrated to silence: yet seeing I was betraide by the indiscretion of a greedie Printer, and had some of my secrets bewraide to the world, vncorrected: doubting the like of the rest, I am forced to publish that which I neuer ment. But this wrong was not onely doone to mee, but to him whose vnmatchable lines haue indured the like misfortune [*i.e.*, Sidney] . . .<sup>100</sup>

From two notes in the Stationers' Register it is known that Lord Burghley had Newman's edition confiscated and brought to the Hall in September, 1591 (I, p. 555):

Item paid the xvijth of September [1591] for carryenge of Newmans bookes to the hall. iiijd

The next entry but one reads:

Item paid to John Wolf when he ryd with an answere to my Lord Treasurer beinge with her maiestie in progress for the takeinge in of bookes intituled Sir P: S: Astrophell and stella. xvs

The inference that this was done because of the intervention of the Sidney family is no doubt correct, but was it solely because of the publication of Sidney's sonnet sequence from a somewhat corrupt MS without their permission? Daniel was one of their protégés.<sup>101</sup> His preface to *Delia* addressed to Sidney's sister speaks of injury done both to him and the dead poet by Newman's volume. There is some justification, therefore, for assuming that Daniel's complaint had something to do with Burghley's order to confiscate the first edition of *Astrophel and Stella* and bring the books to Stationers' Hall. *Delia* was entered by Waterson on February 4, 1592 (II, p. 603). Thus Newman lost his copyright in Daniel's work.

Nevertheless Newman did not lose his copyright in Sidney's work. In the same year as the first edition, 1591, he published a second edition of *Astrophel and Stella*. The text was amended by reference to a different and better manuscript.<sup>102</sup> The prefatory matter of Nashe and Newman was omitted, and so were all the non-Sidneian poems. Thus, despite the initial objections of the great Sidney family to the first publication, despite the confiscation of this at the order of the great Lord Burghley, the same publisher who had brought out the corrupt, unauthorized edition also brought out the good, authorized edition.<sup>103</sup>

In this case, therefore, is evidence for two conclusions concerning surreptitious publication which will receive further support in later sections. A stationer who had established copyright by means of a corrupt edition automatically owned copyright in any different printed version with which someone was anxious to replace the corrupt printed version. In other words, the Elizabethan stationer by entrance and/or publication always established copyright not in a particular version but in the work. Nevertheless, as has just been surmised in the matter of Daniel's sonnets, an Elizabethan stationer could be deprived of copyright in a work which he had published without the author's or his assigns' permission if a highly placed official or member of the Court interfered in the normal practices of the stationers' guild.

The instance of Daniel's sonnets, however, is the only definite example I have been able to discover of an Elizabethan stationer's being deprived of copyright in a work which he had printed without the author's or his assigns' consent. One must remember that if the stationer had followed the regulations of the Stationers'

Company—and its code had nothing to say about obtaining the author's consent before publication—he had established copyright in the work. Only extralegal means could deprive him of that copyright, and these extralegal means would have to be employed by an individual whose authority could successfully confront and overturn the regulations and customs of the Stationers' Company.

A description of a contretemps which illustrates the extreme difficulty of depriving a stationer of his copyright in work once it had been published begins with the following document:

To ye most Reverende Father in God  
William Lorde Arch-Bisshop of  
Canterburie Primate, and  
Metropolitan of all Eng-  
lande his Grace.

The humble petition of John Donne, Clercke.

Doth show unto your Grace that since ye death of his Father (latly Deane of Pauls) there hath bene manie scandalous Pamflets printed, and published, under his name, which were none of his, by severall Boocksellers, withoute anie leave or Autoritie; in particuler one entitold Juvenilia, printed for Henry Seal; another by John Marriott and William Sheares, entitold Ignatius his Conclave, as allsoe certaine Poems by ye sayde John Marriote, of which abuses they have bene often warned by your Petr and tolde that if thay desisted not, thay should be proceeded against beefore your Grace, which thay seeme soe much to slight, that thay profess soddainly to publish new impressions, verie much to the greife of your Petr and the discredite of ye memorie of his Father.

Wherefore your Petr doth beesece your Grace that you would bee pleased by your Commaunde, to stopp their farther proceedinge herein, and to cale the forenamed boocksellers beefore you, to giue an account, for what thay haue allreadie done; and your Petr shall pray, &c.

To this is appended:

I require ye Partyes whom this Pet concernes, not to meddle any farther wth ye Printing or Selling of any ye pretended workes of ye late Deane of St. Pauls, saue onely such as shall be licensed by publicke authority, and approued by the Petitionr, as they will answere ye contrary at theyr perill. And of this I desire Mr. Deane of ye Arches to take care.

Dec: 16, 1637

W. Cant.<sup>104</sup>

It is obvious that John Donne the younger—whom to describe as a scoundrel seems unjust to the powers of description<sup>108</sup>—was

not averse to the publication of his late father's works if the publishers paid him for that privilege.<sup>106</sup> He appears to have gained illegal possession of all his great sire's papers.<sup>107</sup> Numerous volumes by the late Dean of Paul's "published" by his son came from the press during the latter's lifetime.<sup>108</sup> His fervid interest in his dead father's reputation may be gauged by the fact that in an epistle to the Commissioners of the Great Seal in *Fifty Sermons* (1649), he reveals that he had but lately received "the reward that many years since was proposed for the publishing these sermons."<sup>109</sup>

It is also obvious that Donne Junior's real grievance against Seile, Sheares, and Marriot was that they had published his father's works without his receiving a farthing. He had undoubtedly approached the stationers on this matter and had been told that they owed him naught; that they had come by their copyrights in a perfectly legal manner; that each of the volumes had been definitely authorized by an official censor—in short, that he had no claims on them at all. They had broken no law, civil or divine, in gaining their copyrights. He, in his exasperation, had turned to the Archbishop of Canterbury who, he must have known, was the final authority in matters pertaining to the Stationers' Company. He could not admit to Laud that anger and wish for money were the causes of his action, so he resorted to deliberate falsehood, for each of the works he named *was* by his father—as he himself later admitted.<sup>110</sup> His audacity in requesting that a court be held in which his duplicity was bound to be revealed leaves one speechless.<sup>111</sup>

It would seem that the Archbishop had not questioned the stationers concerned, for they would have informed him that the works were not spurious and that they *had* been "licensed by publicke authority." Be that as it may, Donne Junior had certainly won an extremely hollow victory. The stationers had merely to obtain his approval, and Laud's injunction makes it plain that approval was merely contingent on authenticity of ascription. What Donne Junior had expected the Archbishop to do is not clear, but the latter's decision gave him no hope of wresting copyright from the "erring" stationers. This conclusion is fully substantiated by the subsequent history of two of the publications he cites, the *Poems* and the English translation of *Conclave Ignati*.

The *Poems* were first entered under the hands of Sir Henry Herbert on September 13, and October 31, 1632, to John Marriot (IV, pp. 285, 287), and were published in the next year, 1633, with the imprint, "Printed by M[iles] F[lesher] for Iohn Marriot." They had previously enjoyed a brisk circulation in manuscript form,<sup>112</sup> and Marriot seems to have gone to a good deal of trouble to establish the correct canon by utilizing the best available manuscripts.<sup>113</sup> In "The Printer to the Understanders," he speaks of "my charge and paines in procuring of it [the volume],"<sup>114</sup> and modern scholarship admits that he did the task superlatively well.<sup>115</sup> That the collected poems were certainly issued with the consent (if not the aid) of Donne's friends is proved by the elegies contributed to the volume by Henry King, Thomas Carew, Izaak Walton, and others.<sup>116</sup> A second edition of the *Poems* came out in 1635 with the same imprint as that of the first edition; a third in 1639 with the same imprint, after the time of the petition above; and a fourth, "Printed by M. F. for Iohn Marriot," in 1649. Here then is incontrovertible proof that John Donne the younger's attempt to gain control of the copyright of the *Poems* had failed.<sup>117</sup>

*Ignatius his Conclave* was entered by Richard More on May 18, 1611, under the hand of Dr. Mokett and the Wardens (III, p. 459). That it was published with Donne's consent (both in its English and Latin dress) there can be no doubt.<sup>118</sup> More brought out two editions in the same year, and a third in 1626. On June 27, 1634, his widow assigned the copyright to John Marriot (IV, p. 322) who published an edition in the same year, "Printed for Iohn Marriott, and are to be sold by W. Sheares." In 1652, the younger Donne edited a volume of odds and ends "By Dr Donne Dean of Pauls" which has the general title *Paradoxes, problems, essayes, characters*. It bears the imprint, "London, Printed by T. N. for Humphrey Moseley." Among its contents is *Ignatius his Conclave*, which the same title page describes as "a satyr, Translated out of the Originall Copy written in Latin by the same Author; found lately amongst his own Papers." The younger Donne's disregarding the earlier editions, of which the 1652 version is merely a reprint, was, says Keynes, "evidently only for purposes of sale."<sup>119</sup> On March 7, 1652, Marriot had assigned his "right, title & interest" in "*Ignatius Conclave*, written by Dr John Donne" to Master Moseley (Eyre, I, p. 411). In other words,

Donne the younger's publisher had to buy the copyright of the treatise from Marriot before it could be included in the volume. What stronger proof could one desire that the stationers mentioned in Donne Junior's petition to Laud had been able to maintain their original copyrights in spite of his objections?

The third volume mentioned in John Donne Junior's petition to Laud was *Juvenilia: or Certaine Paradoxes, and Problemes*, which was entered by Henry Seile under the hand of Sir Henry Herbert on October 24, 1632 (IV, p. 287). These works appear to have circulated widely in manuscript form.<sup>120</sup> Keynes tells part of what happened soon after Seile's entrance was made:

Donne's Paradoxes and Problemes are clever and entertaining trifles, which were probably written before 1600, during the more wanton period of their author's life. Owing to their scurrilous nature they could not be published during his lifetime, but shortly after his death the greater part of them were licensed to be printed, the *Imprimatur* [in the first edition, 1633] printed at the end both of the eleven Paradoxes and of the ten Problemes being signed by Sir Henry Herbert and dated October 25, 1632. The volume was published under the title of *Juvenilia* in 1633 ["Printed by E. P. for Henry Seyle"], but already on November 14, 1632, an order of inquiry had been delivered at the King's command by the Bishop of London, calling upon Sir Henry Herbert to explain before the Board of the Star Chamber his reasons 'why hee warrented the booke of D. Duns paradoxes to be printed.' Perhaps Herbert's explanations were regarded as satisfactory, but however this may have been, the King was not successful in suppressing the book . . . . The printer seems to have been somewhat careless in imposing the licences, for, although most copies contain the two, copies occur from which one or both have been omitted. It is not known through what channels the publisher obtained possession of the text, but it is probable that the publication was quite unauthorized . . . . The first edition of the *Juvenilia* was . . . soon exhausted and a second edition was published in the same year. So ineffectual did the Star Chamber inquiry prove to have been that in this edition the publisher not only omitted the *Imprimaturs* altogether and so abandoned all pretence of having any official sanction for the publication, but even added to the first Probleme, 'Why have Bastards best Fortune?', which was particularly offensive to the Court, twenty-three lines which had not appeared in the first edition. This edition, as before a quarto and with the same imprint, but containing only twenty-four leaves, is considerably rarer than its predecessor. It is unlikely, however, that this

fact is to be attributed to the King's having had any greater success than before in suppressing it. More probably the demand for it was less, so that part of the edition remained unsold and was subsequently destroyed.<sup>121</sup>

Therefore, the 1633 publication of *Juvenilia* presents an interesting case of a book's being published despite the King's initial displeasure. I write "initial" purposefully, for neither would Elizabeth Purfoot have dared to print nor Henry Seile dared to sell a book bearing their names in its imprint *after* that book had been officially banned. I would guess that Seile added the *Imprimatus* on the obverse of sigs. F1 and H4 while the book was in the press. The custom of mixing corrected and uncorrected sheets would then account for the phenomenon of some copies having both, some having only the first, and some having only the second. The disappearance of the *Imprimatus* from the second edition does not mean the license had been revoked. Keynes could have discovered the same phenomenon occurring in the second and subsequent editions of other books. (For example, the "Seene and allowed" which appeared on the title page of the first and subsequent editions of Bacon's essays is not to be found on the title page of the 1625 edition.) If Seile's license had been revoked, his original entrance would have been struck through; but it is not. He therefore still possessed copyright in and after 1637. Now there appears to be no notice that Seile had sold his copyright to Moseley. The latter included the contents of *Juvenilia* in the 1652 *Paradoxes, problems, essayes*.<sup>122</sup> Someone more keen-eyed than the present writer may find such an assignment in the Registers. Seile had been Junior Warden in 1646-47, and became Senior Warden in 1653-54 and Master in 1657-58. According to the regulations of the Stationers' Company, it was impossible for Moseley to reprint what had been published by Seile as *Juvenilia* without first buying Seile's copyright; and Seile, being a stationer of rank, was not one who would allow himself to be robbed in such a gross manner. Furthermore, although on June 13, 1649 (Eyre, I, p. 320), the assignment by Seile to Moseley of the copyright of *Biathanatos* was formally entered in the Register, a title page had already been "Printed for Humphrey Moseley" in 1648. The assignment of *Juvenilia* by Seile to Moseley was probably not recorded—that is all.

The attempt, therefore, of John Donne Junior to wrest from certain stationers legally acquired copyright in three works which he declared they had published without "anie leave" failed.

The next case about to be described might be understood as one in which the author was able to overcome the stationer who had brought out his work in an unauthorized publication—i.e., wrest copyright from him and have it given to another stationer. But I do not think such a hypothesis would be warranted. On March 27, 1604 (III, p. 257), John Baylie entered "A Booke called: The viewe of Fraunce." Baylie probably sold the publishing rights to Stafford. The book appeared with the following title page:

The View of Fraunce. London printed by Symon Stafford, 1604.

What appears to be a new edition came out the same or next year: A Method For Trauell. Shewed by Taking The view of France. As it stood in the yeare of our Lord 1598. London, Printed by Thomas Creede.

Actually, this is not a new edition but a reissue of the old sheets plus a new title page, a letter by the author, and a brief essay called "A Method for trauell."<sup>128</sup> To quote from the author's letter:

To All Gentlemen That haue Trauelled.

Gentlemen, The Marte is open for writing & this towne at this time more ful of such Nouelties then euer was Franckfort, thogh more for the Printers gaine, then the Authors credit, or benefit of vs the Readers . . . . Among such a world of Pamphlets comes out the *View of France*, (raw as the rest:) & therfore hopes (as I did the last Iubily in Rome, thrusting my self among such a confusion of nations) or not to be seene, or not to be regarded. It comes out by one that professeth, he neither cares nor knowes, whether it be a bastard, or legitimate . . . . It seemeth the publisher had small imployment, and that he is of a French nature, who must needes be in Action, and rather then sit still be ill occupied. Had he bene of other disposition, or his acquaintance with the booke, as little as mine with him: he had not exposed that to publicke view, which I had destined to perpetual priuacie: neither had my weakenesse vndergone your strict censure, nor his boldnesse deserued my iust complaint . . . . this discourse was written long since, when the now Lord *Secretarie* was then Lord Ambassador (*quem honoris causa nomino*) & intended for the priuate vse of an honourable gentleman: you may therefore pardon those passages which haue lesse coherence with these times, for that the face of thinges is much altered in France . . . . But as it was out of my power to call in the booke: so



it is out of my will to correct it: not holding it worthy the paines of a re-uew, much lesse the charge of a re-impression. I haue onely taken it from the Godfathers and Nurses this publisher had bespoken (being now almost seuen years olde and past the Nurse) and put him to schoole to your fauourable entertainment: of whom he may learne to speake better French, and to knowe the French better. Desiring as tender parents doe (because he is of a soft nature, and quickly snibd,) that you vse him gentle.

Robert Dallington.<sup>124</sup>

There can be no question that Dallington was angry at Stafford's unauthorized publication. According to the author, Stafford cared not whether his copy was correct or not—or whether the author wanted the work published. All Stafford cared about was making money from the publication. But then Dallington categorically states, "it was out of my power to call in the booke." Here then is a typical example of a surreptitious publication. A stationer finds a manuscript that he thinks will sell as a printed book—and prints it without asking any one's leave. What happened then? The remainder of Dallington's letter together with the composition of the second issue enables one to make a fairly good guess.

Dallington does not want to revise the work or pay for a new printing. He, or his agent, Creede, or another agent, buys the remaining unsold sheets from the booksellers ("the Godfathers and Nurses") to whom Stafford had sold them. Then Dallington has Creede print the new prefatory matter, which includes a letter in which Dallington is able to blame Stafford for any of the book's shortcomings. Then Creede puts the book on the market again. If Stafford himself had any sheets remaining, he must have been paid for them. Perhaps this transaction constituted a selling of copyright. Perhaps Stafford had been able to dispose of his entire edition to the booksellers and, not contemplating a new edition, did not care what Dallington did. I suspect, however, that there must have been some transaction between Creede and Stafford. Outside the realm of speculation, however, is that Dallington was unable to suppress Stafford's surreptitious publication. Dallington, himself, tells us so.

The next case to be examined in this search to determine what could be done when a work had been published without the author's or his assigns' permission or knowledge is rather puzzling because of the lack of evidence. Samuel Daniel's masque, *The Vision of the Twelve Goddesses*, was first published as:

The True Discription of a Royall Masque. Presented at Hampton Court, vpon Sunday night, being the eight of Ianuary. 1604. And Personated by the Queenes most Excellent Majestie, attended by Eleuen Ladies of Honour. London Printed by Edward Allde, and are to be solde at the Long Shoppe, adjoyning vnto S. Mildred's Church in the Poultrye. 1604.

Later in the year a second edition appeared:

The Vision Of the 12. Goddesses, presented in a Maske the 8. of Ianuary, at Hampton Court: By the Queenes most excellent Maiestie, and her Ladies. London Printed by T. C. for Simon Waterson . . . 1604.

This second edition contains a dedication "To the Right Honorable the Lady Lucie, Countesse of Bedford," signed by Daniel:

*Madame.* In respect of the vnmanerly presumption of an indiscreet Printer, who without warrant hath divulged the late shewe at Court, presented the 8. of Ianuary, by the Queenes Maiestie and her Ladies, and the same verie disorderly set forth: I thought it not amisse seeing it would otherwise passe abroad, to the preiudice both of the Maske and the inuention, to describe the whole forme thereof in all points as it was then performed . . . by a most magnificent Queen . . . .<sup>125</sup>

On February 2, 1604, Lord Worcester wrote to Lord Shrewsbury:

Whereas your Lordship saith you were never particularly advertised of the mask, I have been at sixpence charge with you to send you the book, which will inform you better than I can, having noted the names of the ladies applied to each goddess; and for the other, I would likewise have sent you the ballet, if I could have got it for money, but these books, as I hear, are all called in, and in truth I will not take upon me to set that down which wiser than myself do not understand.<sup>126</sup>

Now one must be careful not to confuse what happened to the ballad with what happened to Allde's edition of the masque. Ernest Law was apparently so misled, for he wrote that this edition "seems to have given some offence to Daniel and the Court."<sup>127</sup> There is no evidence that it did offend the Court. The question arises, however, as to whether Allde, through the agency of Daniel, was deprived of his legal copyright; or whether Waterson, who was Daniel's publisher, bought the copyright from Allde. There is no way of answering this question definitely, but the latter alternative accords with the customary procedure of the Stationers' Company.<sup>128</sup>

The fourth conclusion in this chapter was that, aside from sending an authorized copy to the press, the means which an author or his assign could employ to stop unsanctioned publication were almost nonexistent. The fifth conclusion is that stationers who derived their copyright in a work from a surreptitious publication could not easily be deprived of this copyright. The only method open was to employ extralegal means, i.e., appeal to a high civil or ecclesiastical authority.

## VIII

It has been shown that before publication both Westermann and Earle were possibly forced to give good copy to the very stationers who were about to have bad copy printed; that Egerton prepared good copy for the stationer who owned copyright gained by the publication of a bad text; and that Newman who published an unauthorized *Astrophel and Stella* published the version which was apparently authorized by the Sidney family. More evidence is now presented that an author who had had one of his works published without his consent and in a corrupt form, and who wished to replace this version with a correct one, was forced to vend this correct version through the same stationer who had established copyright by means of the corrupt version. This would seem to follow from the concept of copyright, for if a stationer owned the right to publish a certain *work* he did not merely own the right to publish a certain *copy* of that work. If the latter were true, it would be possible for any other stationer to establish copyright in another copy of that work—and the holding of copyright would become nonsense.

On January 23, 1595 (II, p. 670) John Drawater "Entred for his copie vnder thandes of master Hartwell and master warden Cawood, a booke intituled A Discourse of the vsage of the English fugityves by the Spaniardes." He published the book anonymously the same year with the title given in the entry (STC 15562). Another edition for Drawater also appeared in 1595 (STC 15563). In the same year, an emended edition (STC 15564) came out for the same publisher—but it bore a new title: *The Estate of English fugitiues vnder the king of Spaine*, and it had an angry preface by the author, Sir Lewis Lewkenor:

Being some fue or sixe yeres since in those partes of Flanders, which are subiect to the Spanish king, and seeing a miserable troupe

of my vnhappy cuntrymen . . . debarred from returne into their countrie: and . . . daily ouerlooked with the proud eyes of disdainfull Spaniards, and . . . knowing some of my good friendes and acquaintance in England, possessed with the like humor . . . to forsake their countrie and to settle themselues in the seruice and dominions of the king of Spaine: I thought good to aduertise them of . . . the small regard, distresse, pouertie, scorne, calamitie, & affliction, befallen to such as had alreadie entred the course . . . Having to that effect, written from thence priuatly to some of my acquaintance, the coppies of my letters (contrarie to my intention) were since my returne, by some of them giuen abrode, and lastly not long since, a discourse printed in Paules Church-yarde, containing some parte of the substance thereof, but manye thinges that I had written left out, and manye thinges inserted that I neuer me[a]nt, and finally in the whole so falsified and chaunged, aswell in matter as wordes, & ignorantly entermixed with fictions of the publisher, that howsoeuer the vulgar sorte bee therewith pleased, those that are of farther reach and insight, cannot but condemne it as a thing fabulous, grossely handled and full of absurdities. Besides, the time and occasion to which that discourse was fitting, is now altogether past, and therefore the same altogether impertinent. In regard of which and other inconueniences, I thought it not vnfitte to publish the true copy of my owne letter, which though after so many yeares, cannot but seeme stale . . . The former treatise (for though they are suppressed, yet there are greate numbers of them extant) . . . was by a fellow, that had stolne a copy thereof, foysted to the print, in hope of benefit, and now when the matter comes to examination, slips his head out of the Coller and will not bee found.<sup>120</sup>

Note that despite the author's ire concerning the surreptitious and corrupt version, the same publisher who put it out also put out the authorized version. I do not know what Lewkenor meant when he wrote that the first version had been "suppressed," but the Stationers' Register affords clear evidence that the guild sustained Drawater's right to publish the authorized edition because he had established copyright by the unauthorized edition.<sup>120</sup> On August 26, 1595 (III, p. 47), the following entry was made:

master Ponsonbye. Entred for his Copie vnder the handes of master Hartwell and the wardnes The estate of Englishe fugatyues vnder the King of Spayne and his ministers being his Copie onely. vjd

Lewkenor, it is clear, had given another publisher, Ponsonby, the correct version. Nevertheless, it has been seen that not Ponsonby but Drawater published this authorized and good version, and the

latter put out another edition of the good version, "Newly corrected and amended," in 1596 (*STC* 15565). That Drawater had successfully defended his copyright is confirmed by an entrance two years later, on September 26, 1597 (III, p. 91):

master Ponsonbye. Entred for his copie the same daye by warraunt from master Warden man a booke heeretofore printed by John Drawater intituled the estate of the Englishe fugitives &c the said Drawater hath yeilded his consente to this entrance. vjd

Another example indicating that the Elizabethan stationer who owned copyright based on an unauthorized edition automatically owned copyright in the good edition and became its publisher is afforded by Thomas Wright's *The passions of the minde*. This was entered by Valentine Simmes on June 12, 1601 (III, p. 185). Presumably, Simmes sold the copyright to Walter Burre but retained printing rights. The title page of the first edition reads:

The Passions of the Minde. By Th. W. London Printed by V. S. for W. B. 1601.

Three years later another edition came out:

The Passions of The minde in generall. Corrected, enlarged, and with sundry new discourses augmented. By Thomas Wright . . . London Printed by Valentine Simmes for Walter Burre, and are to be sold in Paules Churchyard at the signe of the Crane. Anno. 1604.

This later edition has an epistle "To the right Honorable my very good Lord the Earle of Southampton," signed "Thomas Wright":

Some seaven yeares ago (right Honorable) I was requested by divers worthy Gentlemen, to write briefly some pithie discourse about the passions of the minde . . . A treatise hereupon I penned, but I know not how in the inundation of my crosses it suffered shipwrack with the rest of my writings: and at what time I supposed it had bin lying rotting in the bottome of the sea, a favorable gale brought it ashore, where being found (belike by some that liked it well) was taken vp, entertayned, and dispersed abroad. When I beheld it, I wondred, and could not tell whether to reioyce to see mine aborted infant revived, or feare whether it had bin maymed and corrupted: for I doubted it had passed by some hands, which might have caused me speake in a language I never vnderstood. At last I fell a perusing of it, and in deede found, it had not bin hardly vsed, but kindly dealt withall, & what escapes were overslipped, proceeded rather from the

vncorrected copie (for of three this was most vnperfit) then from any vncivill entertaynement. After that the whole impression was dispersed, the Printer made meanes to have me adde what I thought wanting, and to amend that I iudged amisse. And so I have augmented this edition with as much more as the first copie conteyned.<sup>181</sup>

Wright is more good-natured about the unauthorized publication of his work than Lewkenor was about his—perhaps because in his case the surreptitious edition was not very corrupt.<sup>182</sup> But again the same condition maintains. The publisher of the unauthorized edition (Burre) automatically owns copyright in the authorized edition and publishes it.

Sir Thomas Browne's *Religio Medici* was probably written in 1634:

No original manuscript of *Religio Medici* is known to have survived, but it has been conjectured by Wilkin . . . that several transcripts, all in Browne's hand, though differing one from another, must once have existed. The work was in addition transcribed by others, and these copies, not always made from the same original, were doubtless handed about among the author's friends for several years before it appeared in print. Seven such transcripts are known at the present time. All are different . . . None can have been copied from any existing printed edition, and presumably all are to be dated before 1642.<sup>183</sup>

Eventually one of the transcripts of *Religio Medici* came into the hands of Andrew Croke, one of the leading publishers of his day.<sup>184</sup> He brought out two anonymous editions in 1642, "Printed for Andrew Croke"; the work had an engraved title page. (So far as I know, the work was not entered.)

In 1643 a new edition was published, with the same title page, except that seventeen millimeters of the engraved surface had been erased for the legend:

A true and full copy of that which was most imperfectly and Surreptitiously printed before vnder the name of: *Religio Medici*. Printed for Andrew Croke: 1643.

This edition contains "A Letter sent vpon the Information of Animadversions to come forth, vpon the imperfect and surreptitious Copy of *Religio Medici*; whilst this true one was going to the Presse." The letter is signed "T. B." and is dated "Norwich, March 3, 1642[3]." In this epistle Browne writes of *Religio Medici*:

that Book (whereof I do acknowledge my selfe the Author) was pen'd many yeares past, and (what cannot escape your apprehension) with no intention for the Presse, or the least desire to oblige the Faith of any man to its assertions: but what hath more especially emboldened my Pen unto you at present is, that the same piece contriued in my private Study, and as an exercise unto my selfe, rather then exercitation for any other, having past from my hand under a broken and imperfect Copy, by frequent transcription it still run forward in corruption, and after the addition of some things, omission of others, and transposition of many, without my assent or privacy, the liberty of these times committed it unto the Presse, from whence it issued so disguised, the Author without distinction could not acknowledge it. Having thus miscarried, within a few Weekes I shall, God willing, deliver unto the Presse the true and intended Originall . . . .<sup>135</sup>

I believe Browne was sincere in his protestations that the book was written "with no intention for the Presse." Although the first authorized edition was so carelessly printed that a list of over thirty *Errata* prefaced the text, the author did not see to it that these corrections were incorporated in subsequent editions.<sup>136</sup> The degree of his interest in the volume may be gauged by the fact that although "the last two editions published during his life have *four* short additions which could hardly have been introduced without his authority,"<sup>137</sup> Browne never acknowledged authorship on the title page. In "one of his Common Place Books written late in life he speaks of it slightly, as 'a piece of mine, published long ago.'"<sup>138</sup> Nor was Browne exaggerating when he indicated that he was more or less compelled to "deliver unto the Presse the true and intended Originall" because the printer had used "a broken and imperfect Copy," for "in several passages the unauthorized editions are directly contradicted by the corrected one."<sup>139</sup> Here, then, is a work published without the author's knowledge or consent from a corrupt copy. The author vents the "true" copy through the same publisher who was responsible for the unauthorized and corrupt earlier editions. The author could not do otherwise, for the stationer had established copyright by means of the first edition, however corrupt the author may have considered that first edition.<sup>140</sup>

There is further evidence that once a stationer had established copyright by a surreptitious and corrupt edition, that stationer continued to own copyright in the work, even though a copy authorized by the author or his assign made its appearance. In a

word, once a stationer had established copyright in a work he had established copyright in it—the condition of his copy had nothing to do with the matter. On March 27, 1635 (IV, p. 335), this entrance was made:

Daniel frere. Entred for his Copie vnder the hands of Master Morgan Jones, Master Weekes and Master Rothwell warden a booke called Archion or the high Courtes of Justice in England &c. vjd

This appeared as:

Archion, or, A commentary Upon the High Courts of Iustice in England. Comp. by William Lambard . . . London, Printed for Daniel Frere . . . 1635.

Now the worthy Lambard (1536-1601) had left many works behind him in manuscript, some of which were printed long after his death and some of which have not as yet been printed. Evidently both the original manuscripts and transcriptions of them became scattered.<sup>141</sup> Any work by Lambard would be considered a rich stationer's plum: his "The duties of constables, borsholders, tithing-men, etc." went through eighteen editions between 1583-1631 (*STC* 15145-62); his "Eirenarcha: or the office of the justices of peace" through twelve editions between 1581 and 1620 (*STC* 15163-74). So profitable were these works that the Stationers' Company itself eventually took over their publishing.

In or before 1635, Daniel Frere, whom Plomer sums up shortly as "a publisher of facetiae,"<sup>142</sup> came upon a transcription of the unpublished *Archeion*. He must have thought he had something profitable. His entrance and the title page of his edition have been given earlier. In the margin of Frere's entrance, however, is the direction, "vide page 315," and on this page for July 1, 1635 (IV, p. 341):

Master Seile and Daniell frere. Entred for their Copie vnder the hands of Master Morgan Jones, Master Weekes and Master Rothwell warden a booke called Archeion or the high Courts of Justice in England. being the true originall Copie from the Authors executor. The former Entry of this booke to Daniell frere being hereby made void. vjd

Probably the new copy had not been relicensed, the license for Frere's first copy being sufficient. Soon after, the following edition appeared:

Archeion, or, a Discovrse Vpon the High Courts of Iustice in England.



Composed by William Lambard . . . Newly Corrected, and enlarged according to the Authors Copie . . . London, Printed by E. P. for Henry Seile . . . 1635.

The "Authors executor" was William's grandson, Thomas Lambard, who contributed a preface "to the Reader." Of this edition, W. Harold Maxwell writes, "This edition having been printed from the author's MSS, under the editorship of T. Lambard, is more correct than the other."<sup>143</sup> It is easy to see what happened. Frere, a publisher of small things, came upon a manuscript of this work and published it. Thomas Lambard did not want his grandfather, famous for his careful scholarship, to be represented by a corrupt text. He probably entrusted William's manuscript to Seile; but the latter, according to the rules of the Stationers' Company, had to make Frere coholder of the copyright. When a stationer assigned a half-share in a work to another stationer, one does not find an assignment but a new entrance with both names in the margin.<sup>144</sup> (Of course what Frere formally did was to assign Seile a half-share.) Nor is it unusual to find only one of two enterers' names appearing in the imprint.<sup>145</sup> There cannot be the shadow of a doubt that Frere as co-venturer enjoyed a share of the profits of Seile's edition.<sup>146</sup>

The sixth conclusion in this chapter is that the stationer who published a text without the author's consent established copyright in the work, however corrupt his copy was. If the author or his representative wished to put a correct version of the work before the public, the second version had to be published by the stationer who had established copyright by means of the first and corrupt version.

Here are the six conclusions in order:

a) Publication without the author's knowledge or consent was not considered at large, in Shakespeare's time, as in any way reprehensible.

b) Stationers did not regard such publication as in any way strange, illegal, or vicious.

c) Authors, though definitely not liking the custom of the day epitomized in the above conclusions, saw that no way existed of preventing surreptitious publication except to anticipate it by sanctioning publication. Once copyright was established, surreptitious publication would be impossible.

d) There were no other feasible means of stopping unsanctioned

publication. It is known that the method of bribery and the method of getting the licenser to refuse authorization were employed, but there is no evidence that either of these means was tried more than once.

e) To deprive a stationer of copyright based on unauthorized publication was, apparently, almost impossible.

f) Any improved or better version of a work appearing after the unauthorized publication had to be brought out by the stationer who owned copyright in the work established by the unauthorized and corrupt publication.

## IX

Let us now apply these conclusions to the publication of the "stolen and surreptitious texts." The stationer who brought out either a bad quarto or an unsanctioned good quarto was not in his own day a criminal, was not, in fact, doing anything that any other member of the Stationers' Company had not, on occasion, done or would not, on occasion, do. There was no compulsion for any stationer to make inquiries as to the provenance of any of the manuscript plays that he had bought for publication. The only way by which the actors could prevent surreptitious publication of a play in their repertory was by sending this play to the press themselves. Surreptitious publication in the present or in the future, possibly from a corrupt MS, could be rendered impossible only if the actors gave or sold the play to a stationer who would then enter and/or publish it. Once a stationer had established copyright in a certain play, no matter how corrupt his initial copy had been, the good text had also to be published by him or by the stationer to whom he had sold the copyright.

## X

Clearly it is wrong to regard the Elizabethan stationers who brought out books without the author's consent as knaves and criminals. It is wrong to confuse such surreptitious publication with true piracy, i.e., printing the privileged books or another stationer's books. It is definitely wrong to speak in the same sentence of a stationer's violation of the guild or the civil code and of his publication of plays without the actors' consent. One must not condemn Elizabethan stationers on the basis of publishing ethics and law that came into existence two and three hundred years after their time.

Almost every Elizabethan stationer at one time or another fell foul of his guild or the government. It is just as wrong to wax righteous about the typical stationer's trade peccadilloes as it is to confuse true piracy and unauthorized publication. The last sentence in McKerrow's paragraph concerning the sins of a typical Elizabethan printer should never be forgotten:

I chose Edward Allde not because of his importance but because he seemed to me to be an average sort of person; just a typical commercial man with no pretensions to be anything else. He was never particularly prominent in the trade, in spite of his long connexion with it. The only honour which befell him—if indeed it was an honour—was to represent with others, the Stationers' Company at the Lord Mayor's Banquet in 1611, 1616, and 1624. On the other hand, he was not, on the whole, by any means a disorderly person. He did indeed get into trouble in 1597 when certain materials used in printing 'a popishe Confession' were found at his house and he was in consequence forbidden to print by order of the Company, but the suspension was evidently quite short, and his output of books for the year in question does not seem to have suffered greatly, though for a few years after this date his recognized production was on a somewhat smaller scale. In 1600 he was fined 5 s. for his share in printing a disorderly ballad of the Wife of Bath and was also condemned to imprisonment for the same offence, but a note states 'And ther Imprisonment is respited till another tyme.' In 1602 he was fined 6 s. 8 d. for printing a book without entrance, and there are records of one or two other minor offences as well as of complaints brought against him by other members of the Company. But troubles of this kind happened to most of the printers of the time, and they do not suggest any great moral obliquity.<sup>147</sup>

The material in this chapter should indicate, I believe, that the Elizabethan stationer who brought out a surreptitious publication was no different in kind from his fellow guild members. Such publication was but another honest way of making money.

Probably the most famous today of all the surreptitious publications of the time with which this investigation deals was that of Shakespeare's sonnets. In *Palladis Tamia* (1598), Francis Meres in writing of "hony-tongued Shakespeare," asks the reader to "witnes . . . his sugred Sonnets among his priuate friends."<sup>148</sup> In 1598, therefore, the sonnets were circulating in manuscript. On May 20, 1609, Thomas Thorpe "Entred for his copie vnder thandes of master Wilson and master Lownes Warden a Booke called Shakespeares sonnettes" (III, p. 410). In the same year a

quarto appeared "By G. Eld for T. T. and are to be solde by Iohn Wright"; some copies have "and are to be solde by William Aspley." Shakespeare can have had nothing to do with the publication, for the volume contains many errors.<sup>149</sup> W. H., "the onlie begetter of these insuing sonnets" in Thorpe's dedication, may conceivably be merely the person who supplied the latter with the manuscript.<sup>150</sup> At any rate, here is an indubitable case of a work by a living author which was published without his leave, was licensed and entered in a regular manner, and bore no evidence in its contents of a sense of guilt on the part of the stationers concerned in the venture.

Sidney Lee, in his introduction to the Clarendon facsimile of the *Sonnets*, made a variety of invidious remarks about Thomas Thorpe,<sup>151</sup> and so completely did he blacken this stationer's character that his opinion has been quoted or echoed again and again. Yet the much maligned Thorpe, while obviously not an extremely prosperous merchant, was in no wise different ethically from his fellow stationers. The facts, such as they are, reveal that Lee's biography of Thorpe was spun out of thin air. It is true that some five or six imprints bearing Thorpe's name are like that on the title page of the *Sonnets*,<sup>152</sup> yet this does not warrant the following effusion:

He never enjoyed in permanence the profit or dignity of printing his 'copy' at a press of his own, or selling books on premises of his own. In this homeless fashion he pursued the well-understood profession of procurer of 'dispersed transcripts' for a longer period than any other known member of the Stationers' Company.<sup>153</sup>

The name of Walter Burre, who certainly was a respectable stationer and who certainly had a shop at the time,<sup>154</sup> occurs thus in the first edition of Jonson's *Alchemist*, of which Burre owned the copyright (III, p. 445):

Printed by Thomas Snodham, for Walter Burre, and are to be sold by Iohn Stepneth . . . 1612.

Yet if it be true that Thorpe did not own a shop, I cannot see how this makes him a villainous fellow. One can easily conceive of a publisher who was only interested in the wholesale side of book-selling.<sup>155</sup> As for Thorpe's not owning a press, neither did Ponsoby—and neither did other flourishing stationers who did not happen to be printers.

Lee builds his whole case of Thorpe's being a "procurer of 'dispersed transcripts'"<sup>156</sup> on the latter's publication in 1600 of the dead Marlowe's translation of Book I of Lucan's *Pharsalia* ("Printed by P. Short, and are to be sold by Walter Burre"). One runs here into the naïve hypothesis that there was something criminal in the publication of a work which had come into a stationer's possession almost a decade after the author's death. Yet, as a matter of fact, Thorpe in his dedication of the Lucan to his "kind and true friend," the stationer Edward Blount, writes of "your old right in it";<sup>157</sup> that is, Thorpe had obtained the copy of Marlowe's translation from Blount. And Blount, as is known from the dignified dedication of his first edition of *Hero and Leander* (1598) to Marlowe's patron, Sir Thomas Walsingham, was an intimate friend of the dead playwright.<sup>158</sup>

Thorpe's dedication to Blount shows him to be no low-spirited man.<sup>159</sup> He was the friend, publisher, and apparently literary executor of John Healey; Thorpe prefixed dedications to three of the latter's works:<sup>160</sup> *The discovery of a new world* (a translation of Hall's *Mundus alter et idem*; entered by Thorpe January 18, 1609 [III, p. 400]; imprint, for Blount and Barret [n.d.]); *Epictetus his manuell*. And *Cebes his table* (two issues of the 1610 edition: for Thorpe, and for Blount and Barret); and *St. Augustine of the Citie of God* (1610, STC 916: [f. T. Thorp]). He was an enterprising publisher of books of news.<sup>161</sup> Some of the most notable dramas of the time came from the press with his name on the title page. Thorpe and Aspley entered Marston's *Malcontent* (III, p. 268), but it was published "for W. Aspley" alone in 1604. Blount assigned *Sejanus* to Thorpe (III, p. 297), and the latter brought out the first edition in 1605. Aspley and Thorpe entered *Eastward Hoe* (III, p. 300), the play being published for Aspley in 1605. In the same year, Thorpe brought out Chapman's *All Fools*; and in 1606, his *Gentleman Usher*. In 1606 he also published Jonson's *Hymenaei*. In 1607, Thorpe entered (III, p. 358) and published Marston's *What You Will*. In the same year he issued Jonson's *Volpone*. In 1608 he entered (III, p. 375) and published in one volume Jonson's *Mask of Blackness* and *Mask of Beauty*. The same year he entered (III, p. 380) and brought out both parts of Chapman's *Charles, Duke of Byron*. In 1610, he entered (III, p. 447) and published *Histriomastix*. *The Malcontent* contains an author's dedication; *Byron* and *Sejanus*

have epistles signed by the authors: *Volpone* is prefaced by commendatory poems by Donne, Beaumont, and others. Simpson believes that for a time Thorpe was Jonson's chosen publisher.<sup>162</sup>

My point is that Thorpe was certainly a respectable stationer. Furthermore, there was nothing reprehensible at the time in Thorpe's publishing Shakespeare's poems without the latter's permission.

It is when one comes to what modern critics say about the publishers of the bad quartos that one really encounters misapprehension. According to A. W. Pollard, the typical publisher of a bad quarto was a poverty-stricken rascal who at the time of publication was "in his worst straits." He was an "impecunious copy-snatcher."<sup>163</sup> To Pollard there was apparently no difference in kind between the thief who printed a privileged book or another stationer's book *and* the stationer who brought out a bad quarto: Pollard uses the same name for both—pirate.<sup>164</sup>

One must remember that the very important stationers of that day did not dabble in such small fry as plays. We look upon Elizabethan plays as comprising one of the greatest heritages of world art. To Elizabethan stationers they were merely small pamphlets selling for a few pence.<sup>165</sup> One reason why play texts were so wretchedly printed is that they were considered so lowly in the trade.<sup>166</sup> As Plomer said concerning the printers of Shakespeare's plays and poems, "Greatly would these good men have been surprised had they been told that their connection with these sixpenny pamphlets would be their chief title to remembrance."<sup>167</sup>

The publishers of the bad quartos were—just as much as their fellow guild members who did not publish bad quartos but who did publish unauthorized editions of nondramatic work—respectable, law-abiding, more or less affluent merchants, with both eyes open to make an extra shilling. In other words, they were representative members of the Stationers' Company. It is interesting to see their names—Archer, Barley, Pavier, Butter, Millington, Gosson, Trundle, *et al.*—appear in Shaaber's chapter in *Some Forerunners of the Newspaper in England, 1476-1622* which deals with the enterprising stationers who supplied the Elizabethan public with the equivalent of the modern journalistic coups.<sup>168</sup>

The real villains (if villains there must be) in the matter of the maimed and deformed texts were the men who created them, not the stationers who published them. It is more than probable

that the publishers of such corrupt texts did not know that their versions were corrupt. They bought the various copies and published them. That Shakespeare's fellows did not like what these stationers did does not mean that in any legal or guild sense these stationers were criminals. That they were not always law-abiding has nothing to do with their bringing out the bad quartos. And that they were typical members of the Stationers' Company I indicate in Appendix B where their various trade biographies are assembled.





## CHAPTER FOUR

### A CONJECTURAL HISTORY OF THE RELATIONS BETWEEN SHAKESPEARE'S FELLOWS AND THE STATIONERS, 1594-1623

All history is conjectural, but disregarding the apparent tautology, I call this chapter, "A Conjectural History of the Relations between Shakespeare's Fellows and the Stationers, 1594-1623." My narrative is highly hypothetical. All I wish to claim is that it is inductive, that the theories appear to me to be the best explanations of the available evidence. If at any time I give the impression that my paragraphs (outside the documents themselves) are factual, that impression is inadvertent. What did happen I do not know. What could have happened—probably happened—perhaps happened—is my province.

The chapter is divided into three sections. Section I: I try to show that modern scholarship is careless in its assumption that four of the good Shakespeare quartos were published with the actors' permission. I also try to answer the question of whether the individual non-Shakespearean plays attributed to Shakespeare's company and published between 1594 and 1623 were published with the players' permission. Section II: I analyze certain leaves at the beginning of Stationers' Register C which have entries relating to plays of the Chamberlain's men. I then show what methods were open to Shakespeare's fellows to stop surreptitious publication of their plays. Section III: This section tells the story promised in the chapter's title.

#### I

Nineteen of Shakespeare's plays were published before 1623: *II Henry VI*, *III Henry VI*, *Richard II*, *Titus Andronicus*, *Love's Labor's Lost*, *Romeo and Juliet*, *Richard III*, *A Midsummer Night's Dream*, *The Merchant of Venice*, *I Henry IV*, *II Henry IV*, *Much Ado About Nothing*, *Henry V*, *Hamlet*, *The Merry Wives of Windsor*, *Troilus and Cressida*, *Othello*, *King Lear*, and *Pericles*. Of these, nine were published as stolen and surreptitious, maimed and deformed texts: *II Henry VI*, *III Henry VI*, *Richard III*, *Romeo and Juliet*, *Henry V*, *Hamlet*, *The Merry Wives of Windsor*, *King Lear*, and *Pericles*. The bad quartos of *Romeo and Juliet* and *Hamlet* were succeeded by good quartos which,

presumably, Shakespeare's players, voluntarily or involuntarily, gave the publishers in order not to have the bad texts reprinted (see below). If the good quarto of *Love's Labor's Lost* was preceded by a bad quarto (see below), ten of Shakespeare's plays were published as bad quartos before 1623, and three good texts were supplied the publishers to drive the bad texts off the market. Ten from nineteen leaves nine. There is evidence (see below) that *Othello* and *Troilus and Cressida* were published from private transcripts without the King's men's permission. This leaves seven good texts which were published with or without the permission of the actors. It will be seen that *The Merchant of Venice*, *Much Ado About Nothing*, and probably *II Henry IV* came from the company in order to prevent the appearance of stolen and surreptitious texts. Thus fifteen of the nineteen Shakespeare quartos that appeared before 1623 were published without the players' consent or were forced in some manner from them. Were the remaining four quartos—*Titus Andronicus*, *Richard II*, *I Henry IV*, *A Midsummer Night's Dream*—published with the acting company's permission? Scholars today assume that they were. They are all good quartos. They were all entered.

I have tried to show that entry in the Stationers' Register had nothing to do with whether a play text was good or bad, with whether it was or was not purchased from the actors. However, directly or indirectly, Pollard's theories have induced in Shakespeare students the belief that *all* the good quartos not only came directly from Shakespeare's company but that the copy for them was Shakespeare's own MS. Thus one reads that a certain good quarto depends on Shakespeare's rough draft of the play, his "foul papers," which the playhouse scribe would make tidy, prepare, and copy for the official promptbook.<sup>1</sup> Sometimes it is added that the good quarto shows signs that the MS behind it had been prepared for production: certain stage directions could have come from the author, or the book-keeper, or the prompter.

Here, for example, are the descriptions of the good quartos which are found in the "Summary" on pp. 183-86 of Greg's *The Editorial Problem in Shakespeare, A Survey of the Foundations of the Text*:

*Titus Andronicus*. "Good Quarto: 1594: from foul papers containing a good deal of alteration."

*Love's Labor's Lost*. "(? Bad Quarto: probably a lost edition of c. 1596.) Good Quarto: 1598: from foul papers with possibly some reference to the 'bad' quarto."

*Romeo and Juliet*. "Bad Quarto: 1597 . . . Good Quarto: 1599: substantially from foul papers, but in part from Q 1597 corrected by comparison with them."

*Richard II*. "Good Quarto: 1597: from foul papers."

*A Midsummer Night's Dream*. "Good Quarto: 1600: from a careful author's copy, possibly with duplicate endings, with signs of alteration, and annotations by the prompter."

*The Merchant of Venice*. "Good Quarto: 1600: from foul papers with some prompter's notes."

*I Henry IV*. "Good Quarto: 1598: possibly from the author's manuscript."

*Much Ado About Nothing*. "Good Quarto: 1600: from foul papers."

*II Henry IV*. "Good Quarto: 1600: from foul papers that had been cut for the stage."

*Hamlet*. "Bad Quarto: 1603 . . . Good Quarto: 1604-5: from foul papers."

*Troilus and Cressida*. "Good Quarto: 1609: from a private transcript of foul papers, tidied up as regards the text but deficient in stage directions."

*Othello*. "Good Quarto: 1622: from a private transcript of foul papers, a good deal edited in a literary sense and with some cuts: divided imperfectly into acts."

The first step in the problem of whether *all* the good quartos (except *Troilus and Cressida* and *Othello*) were based on Shakespeare's MSS is to divide them in two groups, A and B. Group A consists of those good quartos that came out after a bad quarto had appeared and of those texts which were forced from the company by fear of surreptitious publication: *Love's Labor's Lost* (?), *Romeo and Juliet*, *The Merchant of Venice*, *II Henry IV*, *Much Ado About Nothing*, and *Hamlet*. Group B consists of those good quartos for which no external connection between publisher and actors can be posited: *Titus Andronicus*, *Richard II*, *A Midsummer Night's Dream*, and *I Henry IV*.

When one begins to view in its entirety the history of the bad relations between Shakespeare's fellows and the stationers, one is

almost automatically visited with the feeling that the general hypothesis that *all* the good quartos came from Shakespeare's company and were based on Shakespeare's own papers is more a matter of faith than reason. If we did not possess the epistle added in the second issue of Q of *Troilus and Cressida*, if we possessed Q only without this epistle, would we not unknowingly be making a gross error in assuming that the copy came from the players and that the play was published with the actors' knowledge and consent? Indeed, when one comes to investigate closely the claims of Chambers, McKerrow, and Greg concerning the dependence of the good quartos in Group B on Shakespeare's own MSS, he finds very little evidence supporting the large claims. One can, perhaps, see the author's hand or the prompter's hand behind the texts in Group A. One can not clearly see these hands behind the texts in Group B.

What are the signs of the author's own hand behind the printed text? Some scholars point to so-called Shakespearean spellings<sup>2</sup> or to so-called Shakespearean dramatic punctuation.<sup>3</sup> Peter Alexander, for example, claimed that Q 1 of *Troilus and Cressida* was printed from Shakespeare's own MS on the basis of these two categories of evidence.<sup>4</sup> But, by and large, despite the great claims for each made at various times, scholars have not accepted these categories as very sound evidence.<sup>5</sup> Even if they were, they do not necessarily postulate the author's own MS behind the print. In discussing Alexander's hypothesis for *Troilus and Cressida*, Chambers says effectively: "I do not agree with Alexander that Q is shown, by abnormal spellings, 'rhetorical' stops, and misprints which the *Sir Thomas More* script might explain, to rest directly on copy in Shakespeare's hand. In so far as he had a monopoly in such things, they might show through a transcript as well as a print."<sup>6</sup> A transcript, in other words, could reproduce the features of the original MS.

Another sort of evidence supporting the hypothesis that a certain good text depended on Shakespeare's foul papers was suggested by McKerrow. He pointed out that when, in a good quarto or folio text, there is variation in stage directions and speech prefixes concerning a character's name, probably this is a sign of the author in the heat of composition.<sup>7</sup> The folio text of *The Comedy of Errors* and the good quarto of *Romeo and Juliet* have much of such variation. For example, in the latter, for Lady

Capulet we have *Wife, Old La., Capu. Wi., La., Mo.* I think McKerrow's suggestion is excellent. But again, a transcript is not ruled out. McKerrow himself wrote: "Whether in the case of a transcript of a play intended merely for the study a copyist would as a matter of course, take pains to normalize the names of the characters, may perhaps be regarded as uncertain, though it seems to me that any competent scribe would probably look on this as part of his duty."<sup>8</sup> But how faithful a competent scribe would be to his MS when he was making a private transcript can be seen in the case of the MSS of *The Lost Lady* and *Hengist, King of Kent*.<sup>9</sup> Furthermore, if one does use such variation in nomenclature as evidence of the author's foul papers being behind the print, he should point to a great deal of evidence, as McKerrow does in the primary texts of *The Comedy of Errors*, *Romeo and Juliet*, Q 2, and *Love's Labor's Lost*, but as McKerrow does not in the first quartos of *Titus Andronicus* and *Midsummer Night's Dream*.

The author's own hand behind the good quarto is also adduced when the print reproduces apparent signs of revision. One sort of evidence brought forward is passages in the print in which the verse is not correctly lined. This is explained as due to the author's having written afterthoughts in the margin in such a way that the compositor could not recognize line beginnings and endings. I have tried to show elsewhere that such evidence for revision is not so acceptable as it might be.<sup>10</sup>

Another kind of evidence which has been brought forward to show that the print was based on the author's own papers is a passage in two stages. The author in the act of composition will break off and begin anew. But I see no reason why a scribe should pay heed to a line or lines indicating deletion (if such lines existed) when there is conclusive evidence in the print itself that the publisher and printer overlooked such a line or lines.<sup>11</sup> I do not deny that such a phenomenon does bring us close to the author. What I do deny is that it necessarily follows that the copy was the author's MS.

A different way of showing a connection between Shakespeare's fellows and a certain good quarto is to point to playhouse features in the print. Promptbooks which were used in the Elizabethan and Jacobean theatre are still in existence.<sup>12</sup> Some are autograph; some are in the hands of the playhouse scribe. Greg suggests that

the usual procedure was to have the author's foul papers transcribed by the playhouse scribe.<sup>13</sup> The general features of the extant theatrical MSS are complete and accurate stage directions for actual production—whether written by the author, copied from the original, added by the scribe, or added by the prompter. The prompter's hand has added to the auctorial or scribal MS notations for music or noise, names of minor actors, warnings for certain actors or properties to be prepared, careful division into acts, et cetera. Traceable to the author are permissive directions, i.e., "two or three enter" or "a song if you will."<sup>14</sup> Traceable to either author or to scribe or (if they are added in a different hand) to prompter are imperative directions.<sup>15</sup>

Unfortunately, the extant playhouse MSS do not tell much ultimately about the provenance of *printed* play texts. McKerrow, after examining MSS that were used for promptbooks and printed plays that appear to have been set up from promptbooks, set forth certain phenomena that must be found in a printed text if one is to allow that the copy for it was a promptbook: (a) warnings, either for actors or for properties; (b) properties mentioned in a direction which "either must not or need not [be exhibited] to the audience at the time of entry"; (c) actors' names as a gloss; and (d) anticipatory entrances.<sup>16</sup> But McKerrow himself allowed that plays which contain the features of promptbooks could have been printed "from close transcripts of them,"<sup>17</sup> and there is definite proof that the scribes making private transcripts of Berkeley's *The Lost Lady* and Middleton's *Hengist, King of Kent* duplicated every one of the features in the recognized promptbooks: deletion lines, warnings, names of minor actors, directions for music, et cetera. Greg, for example, considers the good quarto of *Troilus and Cressida* "a private transcript of foul papers, tidied up as regards the text but deficient in stage directions." But how is one to explain the large number of directions for noise in its pages: "Sound alarum" (A<sub>3</sub>), "Alarum" (A<sub>3</sub>), "Alarum" (A<sub>3v</sub>), "Sound a retreat" (B<sub>1v</sub>), "Sound trumpet" (C<sub>2v</sub>), "Sound a retreat" (F<sub>1v</sub>), "Flowrish enter all of Troy" (I<sub>1v</sub>), "Alarum" (I<sub>2v</sub>), "trumpets cease" (I<sub>2v</sub>), "Alarum" (L<sub>2</sub>), "Retreat:" (L<sub>4v</sub>)? When one ponders such a phenomenon, the distinction (as far as print goes) between private transcript and playhouse MS begins to vanish.

Furthermore I am not sure that the hypothetical distinction

between print based on autograph and print based on playhouse MS is not often a nebulous one. Examination of autograph MSS annotated by the prompter does not show any clear distinction between the style and nature of the author's directions and the style and nature of the prompter's directions. Perhaps the Elizabethan playwright has not been given sufficient consideration as one who wrote for actual production and thought in playhouse terms. One actually finds Heywood in *The Captives* (which Greg believes to be foul papers, marked by the prompter, and to be copied by the playhouse scribe for use as a promptbook) writing in the margin at V.ii.79 (folio 60b) "Ink: paper: ready," a property warning for an entrance twenty lines later: "Enter Dennis," to which the prompter has added "with pen Inke & paper."<sup>18</sup> If such a warning appeared in a printed text, scholars would assume—and assume erroneously—that it stemmed from the prompter.

Another category of evidence that formerly was brought forward as indubitably showing playhouse origin for the MS behind the print was the presence of actors' names in prefixes or stage directions. Modern scholars, however, tend to reject such a category, for they argue that an author in composition might employ an actor's name for the character whom he expected the actor to play.<sup>19</sup>

All in all, then, I think one has to be extremely careful in attributing a certain printed text to the author's foul papers or to the promptbook. There are no distinctive features of each that one cannot expect a scribe preparing a private transcript to copy. Nevertheless, evidence external to the printed text which indicates playhouse provenance for a particular text should allow one to point to certain features in the print which parallel what one would expect to find in foul papers and does find in extant promptbooks.<sup>20</sup> An investigation shows that the good quartos of Group A (*Love's Labor's Lost*, *Romeo and Juliet*, *The Merchant of Venice*, *Much Ado About Nothing*, *II Henry IV*, and *Hamlet*) do show signs of the author's hand or the prompter's hand. On the other hand, one does not find such signs in the good quartos that make up Group B (*Titus Andronicus*, *Richard II*, *I Henry IV*, and *A Midsummer Night's Dream*). It is so easy and tempting to weight the facts in such textual matters that I shall try to give a full but brief description from Greg (and occasionally others) of the texts in each group.

## GROUP A

*Love's Labor's Lost*.—Greg writes, "Q contains various indications of author's copy and was I think clearly printed from foul papers."<sup>21</sup> The indications are clearly set forth in Chambers' analysis:

Two passages, iv.3.296-317 and v.2.827-32, are clearly duplicated by what follows in each case, and Wilson is probably right in suggesting that they were marked for deletion and the marks disregarded by the printer. . . . The cancelled passages can be . . . interpreted as false starts at the time of the original writing. A half-line left in Q before iv.3.317, but omitted in modern editions, looks like an abandoned first attempt to amend that line, before the fresh start was made. Similarly, the first line of the rejected Berowne-Rosalind dialogue in v.2.827-32 was immediately used to open a Dumaine-Katharine dialogue, and the opening of a new Berowne-Rosaline dialogue deferred to 847. . . . The variations of nomenclature . . . are more conspicuous in *Love's Labour's Lost* than elsewhere. We get, in full or abbreviation, Navarro and King for Ferdinand, Braggart for Armado, Pedant for Holofernes, Curate for Nathaniel, Wench and Maid for Jaquenetta, Clown for Costard, Constable for Anthony or Dull, and 1,2,3 Lady for Maria, Katharine, and Rosaline.<sup>22</sup>

Boy and Page should be added for Moth. Shakespeare could not use Boy as a prefix for Moth in the blackamoor masque in V.ii because Boyet (sometimes Boy. in the prefixes) is one of the speakers in this scene (see G3v-H2). If the copy for Q be foul papers, then on F 4 is an example of an author using an imperative direction in his original draft: "Draw-out his Table-booke."

*Romeo and Juliet*.—Greg writes:

There is no doubt I think that Q2 reproduces Shakespeare's foul papers, which must have undergone a certain amount of tidying up and minor revision when the prompt-book was prepared. This is clear from some confusion in the Queen Mab speech [printed as prose, liv.54-91] and a duplication of the Friar's opening words [II.iii]. . . . There is no reason why Shakespeare should not at one point have set down Will Kemp's name in place of Peter's: he was obviously writing the part for him. [K3v: "Enter Will Kemp."]

There are more or less obvious duplications at II.ii.10-11 ('It is my lady, oh it is my love, oh that she knew she were'), III.iii.40-3, IV.i.111, V.iii.102-3 ('I will believe, / Shall I believe that unsubstantial Death is amorous'), and V.iii.108-9. Of course editors have removed most of these. Observe that the Boy's line, 'O Lord, they fight! I will go call



a watch', at V.iii.71 is printed as a stage direction, evidently because it had been added in the margin without a speaker's name, just as the Nurse's cries within of 'Madam' are without prefix in the margin at II.ii.149, 151. A similar explanation may be offered of the erroneous direction at III.v.37, 'Enter Madam and Nurse'. Lady Capulet is called 'Wife' and 'Mother' and 'Lady of the house', but not 'Madam', and she certainly does not enter here. Presumably there was a marginal direction 'Enter Nurse. Madam', i.e., enter the Nurse calling 'Madam' (which was then duplicated in the text as 'Nur. Madam'). At IV.v. 128-30 Shakespeare in quoting a popular song from *The Paradise of Dainty Devices* did not trouble to write more than the first and last lines. All this points to foul papers. The confusion by which at V.iii.22 the name Peter occurs in a direction for Romeo's boy Balthazar may be due to a note by the book-keeper indicating that the part could be doubled with that of the Clown.<sup>23</sup>

McKerrow has analyzed the variations in nomenclature thoroughly.<sup>24</sup> Several indeterminate stage directions also point to the author's hand: "Enter three or foure Citizens with Clubs or partysons." (A4); "Enter Romeo, Mercutio, Benuolio, with fiae or sixe other Maskers, torchbearers." (C1); "Enter Father Capulet, Mother, Nurse, and Seruing men, two or three." (I4); "Enter three or foure with spits and logs, and Baskets." (K1v). There are some imperatives: "Play Musicke" (K1v), and "Whistle Boy" (L2).

*The Merchant of Venice.*—Greg writes:

Like Chambers 'I see no reason why the copy used . . . should not have been in Shakespeare's hand'—and foul papers at that, at least in the technical sense, for the text itself is remarkably good. Chambers finds some abnormal spellings such as Wilson elsewhere supposes to indicate Shakespeare's autograph. A prompt copy would surely have straightened out the tangle of ambiguous prefixes that according to Wilson led to the creation of a ghost character in Salarino. It appears that I once agreed that a passage at the foot of sig. I2 was an insertion probably written on a separate piece of paper. Wilson and Chambers allow the possibility: but the addition might have been made in foul papers as easily as in the prompt-book. The stage directions, on the whole rather scanty, are in the main typical of the author: for example 'Enter Morocchus, a tawny Moor, all in white, and three or four followers accordingly', or 'A song, the whilst Bassanio comments on the caskets to himself'. On the other hand there are a few that look like prompter's notes: 'Open the letter', 'Play music'. Peculiar is 'Enter Jew and his man that was the Clown'. I agree with Wilson that 'the Clown'

is a playhouse gloss, but take the rest—'Enter Jew with his man that was', i.e. his former servant—to be distinctively an author's direction. These notes may have been made by the book-keeper when going through the manuscript preparatory to making the prompt copy.<sup>25</sup>

McKerrow and Chambers point out another feature of foul papers: Lancelot is often Clowne and Shylock is often Jew in the directions and prefixes.<sup>26</sup>

*Much Ado About Nothing*.—It will be best to give Chambers' analysis of Q and Greg's conclusion:

Q is a good text, with a few abnormal spellings and light punctuation, especially in the prose scenes. . . . The stage-directions and speech-prefixes are more than usually casual, although the relations of the characters are often indicated. A good many entries and exits are unmarked. Characters are introduced who do not speak (i.i.1, 96, 206; ii.2.1), and one of these, Innogen, Leonato's wife, occurs twice. Other characters appear with generic instead of personal names; Don John as 'Bastard,' Anthonio as 'Old' or 'Brother'. The irregularity is greatest with Dogberry and Verges. They are so named in iii.3, and Dogberry is called 'maister Constable.' In iii.5 they enter as 'the Constable, and the Headborough', and in some of the speech-prefixes Dogberry is 'Const. Dog,' 'Con. Do.'. In v.1 they both enter as 'Constables' and are respectively 'Const' and 'Con 2' in speech-prefixes. These scenes remain intelligible. In iv.2 they also enter as 'the Constables'; in the speech-prefixes Dogberry is variously Andrew (i.e. Clown), 'Kemp', 'Kem', 'Ke', 'Keeper' (a mere misprint), and only once 'Constable'; Verges is 'Couley', 'Const'. . . . He [the book-keeper] may also have made some additions to the speech-prefixes, notably at ii.1.89, where a scribbled 'and Balthaser, Bor <achio> dun Iohn' has been read by the printer as 'and Balthaser, or dumb Iohn'.<sup>27</sup>

At one point in the quarto of *Much Ado* the names of the actors Kemp and Cowley appear as prefixes for Dogberry and Verges, whence it has been assumed that the text was set up from a prompt copy. But Shakespeare must obviously have written the parts with particular actors in mind, and nothing is more likely than that he should have used their names. Everything points to the copy having been foul papers that lacked final revision. The stage directions are obviously the author's, casual and often inadequate, and there is much inconsistency in designating the speakers. Dover Wilson agrees that the 'anomalies can hardly derive from anyone but the author and most of them would certainly have been cleaned up in a theatrical fair-copy'. But when he adds 'therefore' Q is 'a text printed directly from the

prompt-book just as Shakespeare left it', he is contradicting himself. A prompt-book is essentially a theatrical fair copy, whether written by the author or by a scribe, and in it ambiguities would necessarily be cleared up.<sup>28</sup>

Here are some of the author's "casual" directions: "Enter Leonato and an old man brother to Leonato." (B2); "Enter Dogbery and his compartner with the Watch." (E3); "Enter Prince, and Claudio, and two or three other." (I3). That the author wrote his MS with production in mind is perhaps seen by a direction on D1: "Enter prince, Leonato, Claudio, Musicke." and the centered "Dance" on C1.

*Hamlet*.—There is really very little solid internal evidence, despite John Dover Wilson's exhaustive *The Manuscript of Shakespeare's "Hamlet" and the Problems of its Transmission*, that Q 2 was printed from Shakespeare's own papers. Of course there is good external evidence that Q 2 probably came from the players to replace the wretched Q 1. The following statement by Greg is much too strong:

Again there is general agreement that Q2, the 'good' quarto of 1604-5, was printed from Shakespeare's autograph copy, though there was little that was foul about it and the chief trouble is the incompetence of the printing.<sup>29</sup>

Chambers is more temperate:

It is a fair text, with little mislineation, light punctuation, and a good many abnormal spellings, and may very possibly be from the author's manuscript, but if so, numerous misprints suggest that this was not very legible. There is no evidence that it had been used as prompt copy. The stage directions are normal. There are some variations of nomenclature between 'Queene' and 'Gertrard', 'King' and 'Claudio', and 'Courtier' and 'Ostricke'.<sup>30</sup>

*II Henry IV*.—Shaaber's analysis of this quarto as dependent on Shakespeare's foul papers is a model of what should be done when such a hypothesis is hazarded:

For the supposition that Q was set up from a MS. in the author's hand there is, I believe, ample support. Aside from the *a priori* expectation that an authentic MS. of any play was more likely to be in the author's hand than in some one else's, such peculiarities of the text as stage-directions describing costume, character, and locality, generic

speech-prefixes, indeterminate stage-directions, and the omission of directions for the entry of certain characters seem to agree with Sh.'s working habits as revealed in other plays and with the scribal customs of the Elizabethan playwright.

. . . . If Q was set up from Sh.'s MS. one might expect to find traces of the peculiarities of his orthography in it. Unfortunately, what these peculiarities may be is matter of debate. DOVER WILSON, however, in *Sh.'s Hand* (1923) and *Essays and Studies X* (1924), has made a gallant attempt to recover some of them. Searching through the quartos which he thinks were printed from Sh.'s MSS. and through the pages of the *More* MS. which he believes Sh. wrote, he notes a number of irregular spellings which he takes to be peculiar to Sh. Of those mentioned by him, five rather striking ones are found in the Q of 2 *Henry IV*: *mas* (= mass) (II.iv.6.21, V.iii.15), *Scilens* (III.ii), *offendors* (IV.i.226, V.ii.89), *maruailles* (= marvelous) (V.i.39), *yeere* (= ear) (I.ii.177: see *Essays & Studies X*, 42). CHAMBERS (*Wm. Sh.*, 1930, i.379) also thinks "There are some abnormal spellings, such as 'Scilens' . . . , which may also point to the author's hand". All of these are either omitted or normalized in F. A number of other spellings found in this play can likewise be duplicated in other quartos, but these are less irregular and can be found in much other Elizabethan writing and printing. The frequent use of the prefix *in-* where *en-* is now uniformly used perhaps deserves mention. Evidence like this is, of course, inconclusive, but so far as it goes it is not inconsistent with the supposition that Q was set up from Sh.'s MS. . . .

Some stage-directions—"Enter Rumour painted full of Tongues" (Ind. 3), "Enter sir Iohn alone, with his page bearing his sword and buckler" (I.ii.2), "Enter the King, in his night-gowne alone" (III.i.2)—seem more likely to have been conceived by the author than by the book-keeper; indeed, notes of this kind are sometimes excised in prompt-books and these are omitted from F, which was probably derived in part from a prompt-book. And surely "Enter the Archbishop, Mowbray, Bardolfe, Hastings, within the forrest of Gaultree" (IV.i.2-3) is the author's work. Similarly the description of Mowbray as "Earle Marshall" at I.iii.2 is the author's identification of a character on his first entrance. In general, as CHAMBERS (*Wm. Sh.*, 1930, i. 119) says, "notes of the costumes to be worn and the properties to be carried" are more likely to be the work of the author. Chambers also finds a direction like "Enter . . . at one doore" (I.i.2), smacking as it does of the technique of the stage, written in the author's hand in the MSS. he has examined.

The seven mute characters named in various stage-directions (Fauconbridge I.iii.2-3, Sir Iohn Russel II.ii.2-3, Sir Iohn Blunt III.i.34,

Bardolfe IV.i.2, Kent IV.iv.1, Westmerland V.ii.3, Blunt V.ii.49-50)—Surrey is also mute in III.i and Blunt in IV.iii, but they are mentioned in the dialog.—were surely imagined and written down by the author and by no one else. The best explanation of their presence is that "Shakespeare sometimes [wrote] down initial entries before he had thought out the dialogue, and omit[ted] through carelessness to correct them by eliminating characters for whom he had found nothing to say, and ought to have found something to say, if they were to be on the stage at all" (CHAMBERS: *Wm. Sh.*, 1930, i.231). The alternative explanation sometimes urged, that such characters are survivals, in a revised text, of an earlier version of the play, implies that they were copied by the revising author.

The use of generic names and the mingling of personal names with them is also usually taken as an author's habit. MCKERROW (*R.E.S.* xi, 1935, p. 464) says that "a play in which the names are irregular was printed from the author's original MS., and . . . one in which they are regular and uniform is more likely to have been printed from some sort of fair copy". Accordingly, the frequent generic speech-prefixes in this play—Doll Tearsheet's speeches are marked *Whoore* in V.iv, Lady Northumberland is *Wife* in II.iii, Mowbray is *Marsh[al]* in I.iii, Northumberland is *Earle* in I.i, Mrs. Quickly is *Hostesse* in all speech-prefixes except two, Shallow is once *Iust[ice]*: otherwise these characters are mentioned by personal names. Moreover, certain characters, notably the lord chief justice, are invariably, in stage-directions, speech-prefixes, and the dialog, distinguished by generic names.—point to the author's MS. as the copy used by the printers.

Stage-directions including indeterminate specifications may also be taken as characteristic of the author (CHAMBERS: *Wm. Sh.*, 1930, i.120). A number occur in this play: "Enter . . . an Officer or two" (II.i.2), "Enter Lord chiefe iustice and his men" (II.i.52), "Enter the Prince, Poynes, sir Iohn Russell, with other" (II.ii.2-3), "Enter a Drawer or two" (II.iv.2), "Enter Prince Iohn and his armie" (IV.i.239), "Enter Iohn . . . and the rest" (IV.iii.25), "Enter Sincklo and three or foure officers" (V.iv.2-3), "Enter strewers of rushes" (V.v.2).

All these indications are, I think, sufficient to establish a strong likelihood that Q was printed from a MS. in Sh.'s hand. I find nothing elsewhere in the play to contradict this inference. . . .

Three features of Q which might be thought to betray the book-keeper's hand turn out, on closer examination, to be less than decisive. Q contains, for example, several stage-directions calling for stage effects etc.—*Shout* (IV.ii.93), *Alarum . . . excursions* (IV.iii.1), *Retraite* (IV.iii.25), the description of the procession at V.v.7, and possibly *she comes blubberd* (II.iv.396-7) which WHITE (ed. 1859) takes as a prompter's

note—of the kind that the prompter sometimes adds to his book. But the author is by no means precluded from writing them in his original draft of the play and so they do not clearly betray the prompter's presence . . . .

The explanation of the naming of Sincklo in the text [V.iv, five times] as the prompter's work was first offered by POLLARD (*Sh. Folios & Quartos*, 1909, p. 44) and is endorsed by CHAMBERS (*Wm. Sh.*, 1930, i.379 f.). It is, of course, perfectly true that an actor's name in a printed text is usually attributed to the use as printer's copy of a prompt-book in which the book-keeper has inserted the name when he did not wish to trust his memory for the casting of minor roles, though it is my impression that he is more likely to add the actor's name to that of the part he plays than to substitute it for what the author has written, and I cannot imagine what purpose would be served by changing, as here, all the speech-prefixes as well as the stage-direction. On the other hand, GAW has made out a strong case for Sh.'s deliberately choosing Sincklo for the part of the officer and writing the actor's name in his MS. (see note on V.iv.2-3). This theory, which seems to me at least as good as the other, rules out the book-keeper, and until it is disproved, the naming of Sincklo cannot be regarded as proof positive of the prompt-book hypothesis.<sup>31</sup>

We have just seen that those texts which the evidence indicates came from the players do show, by and large, evidence of having been printed from the author's own MS. We now come to the good quartos in Group B: *Titus Andronicus*, *Richard II*, *1 Henry IV*, and *A Midsummer Night's Dream*. No external evidence connects these quartos with the players. We must examine the claims of modern scholars that they were based on Shakespeare's own papers. The purpose, of course, in this book is not editorial—although editorial consequences are possibly involved. The purpose is simply to indicate that there is no evidence within each of these texts to rule out the possibility of surreptitious publication from a transcript. For if there be no clear evidence of foul papers or promptbook, scholars have no right to assume a direct line from players to publisher.

#### GROUP B

*Titus Andronicus*.—This is a crucial text in the problem of whether the good quartos in Group B were based on Shakespeare's own papers. To quote Greg:

The stage directions in Q are descriptive and literary, very much what

we should expect from an author not closely connected with the theatre. Apart from misprints the text is good. There can be little doubt that it was printed from the author's copy, and there is evidence that this had undergone alteration . . . Three and a half lines (after I.i.35) tell us how Titus has returned

and at this day  
To the monument of that [*read the*] Andronici  
Done sacrifice of expiation  
And slain the noblest prisoner of the Goths.

But this forms the subject of the episode that immediately follows, which would therefore seem to be an addition to the original composition, or at least to the original design. The inference is borne out by the direction for the entry of 'Tamora, the Queen of Goths, and her two sons, Chiron and Demetrius', for it subsequently appears that she is also accompanied by her eldest son, Alarbas, who as the 'noblest prisoner' is led off to be sacrificed. There may likewise have been some transposition or telescoping of scenes: the transition at I.i.391 is so abrupt that it is difficult not to suspect that the speech of Marcus was designed to begin a new one. There was also probably a marginal addition to the Clown's part at IV.iii.90-1. Whether these alterations imply later revision or merely changes in the course of composition there is nothing to show.<sup>32</sup>

Greg's evidence for a marginal addition to the Clown's speech (Hiv) is, I suppose, the fact that the compositor put only two words in his third print line and began the fourth with a capital letter. But since what comes both before and after the vacant space is necessary to the context, I suggest that what is here is merely a compositor's vagary. As for the sudden shift at I.i.391, Shakespearean and Elizabethan drama in general is full of sudden shifts. The bibliographer is hardly on solid ground here.

The three lines after I.i.35 (which were excised in Q 2) are of altogether different evidential value. They certainly indicate changed intentions on the part of the author. If they represent later revision, they cannot be taken as evidence of foul papers. If they represent first intention, they must stem from the author's MS; whether they stem directly or indirectly is another question. The absence of clear deletion marks in the copy is indicated, possibly, by their presence in Q 1. I cannot accept the hidden hypothesis that they could not have been present in a transcript. Since they were not deleted by the compositor, I do not see why the scholar must assume that a scribe must delete them.

There is some variation in nomenclature. McKerrow writes, "Saturninus is called 'Emperor' (I.i.299) and 'King' (IV.iv, V.iii). Aron is frequently 'Moore'."<sup>33</sup> I add that Tamora is sometimes *Queene*. Nevertheless, there is not the wide variation that is found in *Much Ado*, *Romeo and Juliet*, and *Love's Labor's Lost*.

Many of the directions suggest the author. The permissive "and others as many as can be" in a long direction on A4r-v points to him. I do not know why Greg should say that the directions are what we should expect from someone not closely connected with the theatre. They are not more literary than those found in promptbooks. Chambers, on the other hand, comments, "The Q stage-directions are rather full and suggest an author's hand."<sup>34</sup> They certainly came from someone looking forward to production: "Sound trumpets, and lay the Coffin in the Tombe" (B1v); "Here a crie of Hounds, and wind hornes in a peale: then enter Saturninus etc." (D1); "stab him" is in the right margin when Demetrius and Chiron kill Bassianus (D3).

All in all, then, Q does show some phenomena of the author's foul papers. Indeed, there is more textual evidence that *Titus Andronicus* was printed from Shakespeare's own MS than there is that Q 2 of *Hamlet* was. Nevertheless, I am not satisfied that such phenomena would not be revealed in a transcript, and the external evidence strongly suggests that the printer of Q did not have Shakespeare's own papers as copy.

Without discussing the extremely involved scholarship on the stage history of the play in detail, it is known from a reference in *A Knack to Know a Knav*e that *Titus Andronicus* was extant in some form in 1592.<sup>35</sup> Henslowe's *Diary* states that it was given as "new" by Sussex's in January, 1594, and by the combined Admiral's-Chamberlain's in June, 1594.<sup>36</sup> The title page of Q 1 (1594) states that it had been played by Derby's, Pembroke's, and Sussex's. The title page of Q 2 (1600) added a fourth company, Chamberlain's. Since the play was given by three different companies before the formation of Chamberlain's in June, 1594, it is reasonable to assume that more than one copy was in existence. Shakespeare's fellows must have had one, for the 1623 folio printed III.ii for the first time. The London companies were in a state of flux in 1593-94. The play was entered by Danter in the Stationers' Register on February 6, 1594 (II, p. 644). The Chamberlain's men claimed the play and acted it after their founding.



External data, therefore, make it appear somewhat doubtful that the printer of Q had Shakespeare's own papers. Whether he had or had not we shall never know. But that the play was printed with Shakespeare's consent, there is no evidence at all.

*Richard II.*—A. W. Pollard,<sup>37</sup> Chambers,<sup>38</sup> and Greg<sup>39</sup> believe it likely that the copy for Q was Shakespeare's own MS. No substantial evidence for their hypothesis has ever been offered. Pollard employs the dubious claim of auctorial dramatic punctuation; this of course does not rule out the scribe. If the compositor did not change the pointing, why should a scribe? Greg writes, "The *Quarto* directions are clearly the author's, and are full of graphic touches, while at the same time inadequate for production."<sup>40</sup> I do not see many of the graphic touches, but there are some: for example, "He pluckes it out of his bosome and reades it:" (H4v). All in all, there is not a jot of evidence that the copy for *RII* came from Shakespeare's company. Absence of foul paper and playhouse phenomena strongly suggest a private transcript. If the play was written before the formation of the Chamberlain's company, the publisher could have obtained his copy from a variety of sources. (That the abdication scene, IV.i.154-318, first appeared in Q 4 in reported form tells nothing about the provenance of Q 1.)

*I Henry IV.*—The following words are all that Chambers and Greg have to say about Q 1. (For all essential purposes one may consider it a reprint of Q 0, of which only sheet C remains):

The normal stage-directions of Q1 are preserved by F1 . . . . [Q1] is somewhat rough metrically, owing partly to the difficulty of manipulating proper names, and partly to misprints as to elisions and the like . . . .<sup>41</sup>

Q has normal author's directions and may go back to his manuscript, though other evidence is slight. A few textual confusions might come from foul copy: for instance in the first scene (1.76) the words 'In faith it is' printed after a space at the end of one speech should properly begin the next. The stage directions needed to mark the break between what became Acts III and IV are absent. If the source was a playhouse transcript it preserved the original directions with unexpected fidelity.<sup>42</sup>

The error in Q at 1.1.76 is hardly evidence of foul papers. And I am not at all sure it is an error: the words could very easily belong to the speech of the King, as they *do* in Q. If *II Henry IV* be an example of a print based on author's copy, then one can say

automatically that *I Henry IV* shows none of the phenomena indicating foul papers. Nor are there any signs of the prompt-book. "He drinketh" (D3v), "The musicke playes" (F3v), "The trumpet sounds. Enter Worcester" (Iiv) are directions which any dramatist expecting production would use. I grant that some of the directions are literary (for example, "As they are sharing the Prince & Poin set upon them, they all runne away, and Falstalfie after a blow or two runs away too, leauing the bootie behind them." C4v). But one can no more expect a dramatist not to use playhouse directions occasionally than he can expect a scribe not to copy stage directions that brighten the text. All in all, then, it may be concluded that the good quarto of *I Henry IV* shows no clear signs of author's copy or promptbook. We have no right to postulate that its publisher received his copy from Shakespeare's fellows.

*Midsummer Night's Dream.*—There seems to be a good deal of wishful thinking in attributing Q to the author's MS. Chambers is curt concerning provenance. "Qr is a fairly well-printed text, with some abnormal spellings, and may be from the author's manuscript. The stage-directions are not elaborate."<sup>43</sup> Greg has little more that is tangible: "On the whole I think the copy for Q must have been the author's manuscript. There are some abnormal spellings, some confusions in speakers' prefixes, and some directions, like 'they all start up', that suggest the author. The most important piece of evidence is at the beginning of the last act where eight passages of verse are mislined . . . There are however a few directions that suggest the prompter, such as 'Lie down' and 'Wind horn'. In the palpable duplication, 'Enter Lovers; Lysander, Demetrius, Hermia, and Helena' (V.i.29), we may see the book-keeper expanding a typically brief direction of the author's."<sup>44</sup>

I deal elsewhere with the hypothesis of the so-called marginal additions in *MND* as evidence of author's MS.<sup>45</sup> The unmetrical lines, I suggest, are not evidence of foul papers but of the Elizabethan compositor's carelessly setting up verse. Greg's evidence for prompter's additions does not pass muster. The directions could just as well come from the author, and there is no reason why they should not be copied by a scribe. McKerrow pointed out variation in nomenclature as evidence of foul papers. "Theseus and Hip-

polyta are in V.i, during the performance of the play, called 'Duke' and 'Dutchess' (*Du.*, *Dut.*). Titania is sometimes called 'Queen.' Bottom is sometimes called 'Clowne' . . . Puck is sometimes called 'Robin Goodfellow.'"<sup>46</sup> But such variation is very slight—not like that in *Love's Labor's Lost*, for example. That of *Du.* and *Dutch.* for Theseus (*The.*, *These.*) begins at l.202 and holds to the end of the play. This shift (which begins in the middle of the mechanics' play) is probably due to the fact that Theseus and Thisby (*This.*, *Th.*) are both speakers at this point. There would be confusion in the prefixes if someone had not shifted to the generic "Duke." ("Dutchess" for Hippolyta would naturally follow.) For the same reason Titania (normally *Quee.*, sometimes *Qu.*) probably becomes *Tit.* in III.i because Quince (sometimes *Qu.*, usually *Quin.*) is also present in this scene. She remains *Tita.* in IV.i. Oberon is never King in the prefixes. Bottom becomes Clown in IV.i. But never (except for Robin) is there any alternation within a scene of particular with generic name; Robin does vary with Puck in the prefixes and directions. The nomenclature of *MND*, then, does not show the author in the heat of composition—does not cause the reader to assume foul papers behind the print.

I do think that ultimately behind Q we may see the author preparing for production: "Stand forth Demetrius" and "Stand forth Lisander" (A2v); "Enter a Fairie at one doore, and Robin goodfellow at another" (B3); "Enter Demetrius, Helena following him" (C1v); "Enter Demetrius and Helena running" (C4); "Enter the Clownes" (D1); "Ly doune" (E1); "Enter the Queene of Faeries, and Clowne, and Faeries: and the king behinde them." (F2v); "Winde horne." (F4); "Shoute within: they all start up. Winde hornes." (F4v); "Enter Quince, Flute, Thisby and the rabble." (G2). Such directions would be copied by a scribe. There is little evidence of foul papers or playhouse in Q. Nothing in it rules out printing from transcript. If, as Chambers and others suggest, the play was written for a noble wedding,<sup>47</sup> a prime source of private transcripts could be assumed. At any rate, there is neither internal nor external evidence to show that the copy came to the publisher from Shakespeare's fellows.

Thus, it is not at all a certainty that the four good quartos in Group B—*Titus Andronicus*, *Richard II*, *A Midsummer Night's*

*Dream*, and *I Henry IV*—were printed with the consent of the Chamberlain's men. There is no evidence, internal or external, that these texts came from the acting company. There is nothing to prevent consideration of them as surreptitious and stolen. But Shakespeare's plays do not belong to an isolated category. In order to investigate what the relations between the stationers and Shakespeare's fellows were between 1594 and 1623, an attempt should be made to determine, as well as possible, the provenance of *all* the plays which were published in this period, either bearing this company's name on their title pages or attributed to them on some other grounds.

The printing of Jonson's plays probably belongs in a special category. On the one hand, one observes the reluctance of the Chamberlain's-King's men to allow Shakespeare's plays to be published. On the other hand, one observes that six Jonson plays which they had acted appeared in print before 1616: *Every Man out of His Humour*, *Every Man in His Humour*, *Sejanus*, *Volpone*, *Catiline*, and *The Alchemist*. It will be seen later that Shakespeare's fellows feared the surreptitious publication of *Every Man In* in August, 1600, and took steps to stop it. There is also some negative evidence that *The Case Is Altered* was printed without Jonson's consent.<sup>48</sup> Despite the magnificent work of Percy Simpson on the texts, still very little is known about Jonson's relations with the stationers. It is not known whether the company sold the plays to the stationers, or whether there was some special agreement which allowed Jonson himself to have the plays printed. It is known that for all six quartos above, Jonson himself supplied the manuscripts<sup>49</sup> and supervised the printing. Other evidence, too, specifically shows Jonson's cooperation in each of the publications. Simpson, for example, writes, "From 1605 to 1608 . . . he [Thomas Thorpe] was Jonson's publisher."<sup>50</sup> Of the eight quartos the printing of which Jonson supervised, Thorpe published two, and Walter Burre published four.<sup>51</sup> I myself find it difficult to resist the hypothesis of a special agreement, but in order to see the evidence clearly, a brief chronological review of the publication history of all the Jonson quartos printed before the 1616 folio follows.

a) *Every Man Out*.—The title page in F 1616 reads, "Acted in the yeere 1599. By the then Lord Chamberlaine his Seruants." Q was entered under Harsnet's hand to William Holme on April 8, 1600

(III, p. 159): "The Comickall Satyre of Every Man Ovt of His Hvmor. As It was First Composed by the Author B.I. Containing more than hath been Publickely Spoken or Acted. With the seuerall Character of euery Person . . . London, Printed for William Holme, and are to be sold at his Shop at Sarjeants Inne gate in Fleetstreet. 1600." This title page tells that the printed version was not the playhouse one but the author's. For Q, Jonson supplied prose "characters" of his *dramatis personae*. He even provided the printer with alternate endings, the original and the revised conclusion. The play was "scrupulously edited" and "carefully printed."<sup>52</sup> *Every Man Out* was the first of the Qq which Jonson himself oversaw in the printing house.

b) *Every Man In*.—The Chamberlain's men asked the Stationers' Company to stay the printing of the play on August 4, 1600. It was entered to Cuthbert Burby and Walter Burre, under Pasfield's hand, on August 14, 1600 (III, p. 169). Q's title page reads, "Every Man In his Humor. As it hath beene sundry times publickly acted by the right Honorable the Lord Chamberlaine his seruants. Written by Ben. Iohnson . . . Imprinted at London for Walter Burre, and are to be sould at his shoppe in Paules Church-yarde. 1601." It was carefully printed.<sup>53</sup> Division into acts and scenes and completeness of stage directions point to Jonson's preparation of the copy.

c) *Cynthia's Revels*.—The play was entered to Burre under Pasfield's hand on May 23, 1601 (III, p. 185) and came out in the same year, "As it hath beene sundry times priuately acted in the Black-Friers by the Children of her Maiesties Chappell. Written by Ben. Iohnson. . . . Imprinted at London for Walter Burre, and are to solde at his shop in Paules Church-yard, at the signe of the Flower de-Luce and Crowne. 1601." "The five copies of the Quarto that have been collated supply a copious amount of variants, which show Jonson's scrupulous care in ensuring the correctness of his text."<sup>54</sup> The Huntington copy has Jonson's famous dedication to Camden inserted between A1 and A2.

d) *Poetaster*.—The play was entered by Matthew Lownes under Pasfield's hand on December 21, 1601 (III, p. 198). It was published the next year, "As it hath beene sundry times priuately acted in the Blacke Friers, by the children of her Maiesties Chappell. Composed, by Ben. Iohnson . . . London Printed for M. L. and are to be sould in Saint Dunstans Church-yarde. 1602." "The text as a whole is carefully printed . . ."<sup>55</sup> Jonson's intimate connection with the publication is indicated by a note on N verso: "Here (Reader) in place of the Epilogue, was meant to thee an Apology from the Author, with his reasons for the publishing of this booke etc."

e) *Sejanus*.—The F 1616 title page reads, "Acted, in the yeere 1603.

By the K. Maiesties Servants." The play was entered by Edward Blount, under Pasfield's hand, on November 2, 1604 (III, p. 273), and was assigned by Blount to Thomas Thorpe on August 6, 1605 (III, p. 297). Blount's initial entry may possibly have been a blocking entry to stop surreptitious publication, but I doubt it. His ascertainable blocking entries for the King's men began four years later (see below). Roberts, whom Blount succeeded as the stationer who made blocking entries for the players, did not retire until about 1609 (see below). Q's title page reads, "Seianvs His Fall. Written by Ben: Ionson . . . At London Printed by G. Elld, for Thomas Thorpe. 1605." It has commendatory poems by Chapman, Marston, *et al.*, and a dedication and "To the Readers" signed by the author. It also has his bibliographical and historical notes in its margins. Jonson carefully supervised the printing.<sup>56</sup> It is to be remembered, too, that in "To the Readers" he informs the reader that for the printed version he had expunged the work of a collaborator.

f) *Volpone*.—F 1616 title page tells that the play was "Acted in the yeere 1605. By the K. Maiesties Servants." Q's reads: "Ben: Ionson his Volpone Or The Foxe . . . Printed for Thomas Thorppe. 1607." The play was assigned by Thorpe to Burre on October 3, 1610 (III, p. 445). It has prefatory verse tributes by Donne, Beaumont, and others and Jonson's dedication to "The Two Famous Universities." Jonson himself corrected the sheets during printing.<sup>57</sup>

g) *The Alchemist*.—F 1616 title page reads, "Acted in the yeere 1610. By the Kings Maiesties Seruants." The play was entered under Buc's hand by Walter Burre on October 3, 1610 (III, p. 445). Q's title page reads, "Written by Ben. Ionson . . . London, Printed by Thomas Snodham, for Walter Burre, and are to be sold by Iohn Stepneth, at the West-end of Paules. 1612." Neither the Q nor F text was as scrupulously proofread for spelling and punctuation by Jonson as was his custom.<sup>58</sup> Q has a signed dedication and an unsigned "To the Reader."

h) *Catiline*.—F 1616's title page states that it had been "Acted in the yeere 1611. By the Kings Maiesties Seruants." It was not entered. Q's title page reads: "Catiline his Conspiracy. Written by Ben: Ionson . . . London, Printed for Walter Burre. 1611." Q has a dedication and other preliminary matter signed by Jonson. He vigilantly proofread the sheets.<sup>59</sup>

On the whole, I think that we are justified in not allowing the publication of the six Jonson plays which had been acted by Chamberlain's-King's to influence us in either direction on the problem of how Shakespeare's fellows stood concerning the pub-

lication of their plays. Each of the quartos is good. The printing of each was supervised by the author. The acting company cannot have been averse to their publication. But the continued intimate connection of dramatist with publisher and printer is so unusual for those times that the Jonson quartos must be considered apart in the story of the struggle between Shakespeare's company and the stationers.<sup>60</sup>

In addition to the Shakespeare plays and the Jonson plays, there are seventeen other plays published between 1594 and 1623 whose title pages or whose entrances in the Stationers' Registers claim performance by Shakespeare's fellows—the Chamberlain's and then the King's men. In the attempt to determine the relations in this period between this acting company and the stationers, each of these seventeen plays should be at least cursorily examined to determine, for a provisional hypothesis, its provenance.<sup>61</sup>

a) *A Warning for Fair Women*.<sup>62</sup>—Nothing much seems to be known about this anonymous play. It was entered to Aspley on November 17, 1599 (III, p. 151). Q's title page reads, "As it hath beene lately diuerse times acted by the right Honorable, the Lord Chamberlaine his Seruantes. Printed at London by Valentine Sims for William Aspley 1599." The stage directions, especially for the dumb shows (D1, G3v), are literary rather than playhouse; e.g., "Here enters Browne speaking, in casting one side of his cloake vnder his arme. While master Sanders and he [a Gentleman] are in busie talke one to the other, Browne steps to a corner." (D2v); "Beane left wounded, and for dead, stirres and creepes." (F1v). Everything points to an author anticipating production: imperatives such as "take her aside" (A4v), "Giue her a Ring" (B1v), "Kisse Ioane." (G1); and indeterminates such as "Here some strange solemne musike like belles is heard within." (D1); "Enter Sanders, and one or two with him" (D2); "Enter some to prepare the iudgment seat . . ." (H3v). Where Aspley found his MS is unknown.

b) *Satiromastix*.<sup>63</sup>—This entry is made in the Stationers' Register for November 11, 1601 (III, p. 195): "John Barnes Entred for his Coppye vnder the handes of the wardens and vpon condicon that yt be lysensed to be printed A booke called the untrussinge of the humorous poetes by Thomas Decker." Without any assignment in the Registers, the play was published by another: "As it hath bin presented publikely, by the Right Honorable, the Lord Chamberlaine his Seruants; and priuately, by the Children of Paules. By Thomas Dekker . . . London, Printed for Edward White, and are to bee solde at his shop, neere the little North doore of Paules Church, at the signe of the

Gun. 1602." Dekker has an unsigned dedication "To the World" which shows him privy to the publication. There is an "Ad Lectorem" list of errata which appears to come from him too. That the copy for Q could not have come from Chamberlain's but could have come from the children is indicated by the "Epilogus." In this *Tucca* refers to his fellow actors as "my little Swaggers that fight lowe: my tough hearts of Oake that stand too't so valliantly, and are still within a yard of your Capten" and to his own shortness in "Besides, twas when stiffe *Tucca* was a boy" and "cast your little *Tucca* into a Bell." The theatre of presentation, Blackfriars, is also indicated in "an assembly of Friers."

c) *A Larum to London*.<sup>84</sup>—That the Chamberlain's men feared the surreptitious publication of this play in the first half of 1600 and had John Roberts enter it on May 20 (III, p. 161) will be seen, also that this entry was merely nominal and not preparatory to actual publication. Two years later, with no assignment in the Stationers' Registers from Roberts to Ferbrand, a quarto appeared, "As it hath been playde by the right Honorable the Lord Charberlaine his Seruants. [Edward Alldes device] London, Printed for William Ferbrand, and are to bee sold at his shop in Popes-head Alley, ouer against the Tauerne doore, neere the Royall-Exchange. 1602." There is no way of knowing whether Shakespeare's fellows consented to Ferbrand's publication or not. Lack of transfer from Roberts to Ferbrand may indicate unauthorized publication. Further evidence of this may be a direction at 501: "As he is going out Stumpe encounters him." The passage which should follow this direction is not in Q, and a new scene begins at 502, "Enter Burger, Champaigne, and their wiues." If the passage was lacking in Ferbrand's copy, then the MS could hardly have come from the acting company. As far as its text goes, Q is good. It shows no marks of the playhouse but does contain marks of author's copy or a transcript of such. One of the main characters is Stump, whose real name is Vaughan. Throughout Q, except in one scene, he bears the former name in directions and prefixes; in Scene ix he bears the latter. Similarly, Cornelius Van End is Cornelius in Scene i and Van End for the rest of his appearances. Champaigne's wife is 2 *Wif.* in Scene iv and *Lad., La.* in Scene vi. Many of the directions have literary touches: "In the Alarum, Alua and Danila pursue Marques Hauurie, and Count Egmont furiously." (637-38); "Champaignes wife hurried by two rascall Soldiers." (729). I think that the following show the author in his workshop: "Enter two or three Cittizens running." (269); "Take Egm. aside" (imperative, 396); "Offer to strike" (imperative, 882); "Hoise him vp and let him downe againe." (1007); "Stab the olde man." (imperative, 1081); and "Enter three or foure soldiers." (1340).

d) *Thomas Lord Cromwell*.<sup>85</sup>—The play was entered to William



Cotton on August 11, 1602, "as yt was lately Acted by the Lord Chamberleyn his seruantes" (III, p. 214). The title page of Q 1 reads: "The True Chronicle Historie of the whole life and death of Thomas Lord Cromwell. As it hath beene sundrie times publikely Acted by the Right Honorable the Lord Chamberlaine his Seruants. Written by W.S. Imprinted at London for William Iones, and are to be solde at his house neere Holburne conduit, at the signe of the Gunne. 1602." I think that one may assume the initials on Jones' title page to be a device to cheat the buyer. The combination of acting company and initials would point to Shakespeare. Hence one could legitimately doubt Jones' attribution to Chamberlain's—if it were not for the independent attribution in Cotton's entry. This evidence would not be independent if it were known that Cotton sold the rights to print his copy, temporarily or permanently, to Jones. The copyright history of the play is muddled. On February 16, 1617 (III, p. 603), Master Barret had "Allowed vnto him also by the same Court all the Copies that belonged to master Cotton." Among these was "Life and death of lord Cromwell," but W. Jones had assigned the play to J. Browne on December 16, 1611 (III, p. 474). On the whole, I tend to doubt that *Cromwell* was a Chamberlain's play.

The text is good. There are no clear marks of the playhouse in Q. There are some directions that point to author's copy or a transcript thereof: "Here within they must beate with their hammers." (I.ii.10); "Cromwell in his study with bagges of money before him casting of account." (II.i); "Enter Hodge, his fathers man" (II.ii.85); "Enter Bedford like the Clowne [i.e., Hodge], and Hodge in his [Bedford's] cloake and his Hat." (III.ii.96); "Here he sings a song." (III.ii.136)—no song is printed; "Enter Bedford hastily." (IV.i.29); "Enter Hodge verie fine with a Tipstafe: Cromwell, the Mace caryed before him: Norffolke, and Suffolke, and attendants." (IV.ii.37). Will and Tom are 1. and 2. for the prefixes in I.i,ii. In IV.ii appears, "Enter good man Seely, and his wife Ioane." but the following prefixes are *Wife*.

e) *The Malcontent*.—The play was entered by William Aspley and Thomas Thorpe, under Pasfield's hand, on July 5, 1604 (III, p. 268). Three quartos appeared that year:

## A

The Malcontent By Iohn Marston. 1604. Printed at London by V.S. for William Aspley, and are to be solde at his shop in Paules Churchyard.

## B

(The same reading, except for "At London Printed.")

## C

The Malcontent. Augmented by Marston. With the Additions played by

the Kings Maiesties servants. Written by Ihon Webster. 1604. At London Printed by V. S. for William Aspley, and are to be sold at his shop in Paules Church-yard.

Marston became a member of the Queen's Revels syndicate sometime in 1604. For this children's company he wrote the remainder of his plays, including *The Malcontent*.<sup>66</sup> That Aspley's copy for Q 1 did not come from the King's men is clearly indicated by internal and external evidence of the Qq themselves. Q 3 contains extensive additions and revisions. These are explained by Webster's Induction, which first appears in Q 3. Sly appears as a city fool, but others of Shakespeare's fellows appear as themselves. One learns that Sly had already seen the play which was often acted by the children at Blackfriars.

*Sly* . . . I would know how you came by this play?

*Cun[dell]* . Faith sir the booke was lost, and because twas pittie so good a play should be lost, we found it and play it.

*Sly*. I wonder you would play it, another company having interest in it?

*Cun[dell]* . Why not Malevole in folio with us, as Ieronimo in Decimo sexto with them. They taught us a name for our play, wee call it *One for another*.

*Sly*. What are your additions?

*Bur*. Sooth not greatly needeful, only as your sallet to your greate feast, to entertaine a little more time, and to abridge the not received custome of musicke in our Theater.<sup>67</sup>

Since Q 1 does not contain the additions which Marston supplied for the King's men, it may be concluded that the manuscript which first came to Aspley's hands did not come from Shakespeare's fellows.<sup>68</sup> Any augmented text had, of course, to be published by the stationer who owned copyright in the play. The Induction and Marston's additions for Q 3 must have come to Aspley ultimately from King's through the agency of Marston or some one else.

f) *I Ieronimo*.—This may or may not be "The Tradgedy of Ieronimo," included among King's men's plays, in a list from Buc's office.<sup>69</sup> Eccles thinks it may have been.<sup>70</sup> Chambers thinks the reference is to *The Spanish Tragedy*.<sup>71</sup> But certainly *I Ieronimo* is the play referred to in Webster's Induction to *The Malcontent*, which was first played by the Children of Blackfriars and then by the King's men. Condell says, "Why not Malevole in folio with us, as Ieronimo in Decimo sexto with them?" Q's title page reads, "The First Part of Ieronimo. With the Warres of Portugall, and the life and death of Don Andraea. Printed at London for Thomas Pauyer, and are to be solde at his shop, at the entrance into the Exchange. 1605." It was not entered. Note that Pavier does not ascribe the play to King's. That the manuscript

underlying the print came in some way from the children is definitely indicated by the epilogue, in which Jeronimo refers to his short stature:

My armes  
Are of the shortest; let your loues peece them out.  
Your welcome, all, as I am a Gentleman;  
For my sons sake, greant me a man at least,  
At least I am.<sup>72</sup>

g) *The Faire Maide of Bristow*.<sup>73</sup>—This was entered by Thomas Pavier on February 8, 1605 (Arber, III, p. 283), "A commedy called the fayre Mayd of Bristoe played at Hampton Court by his Maiesties players." Q's title page reads, "As it was plaide at Hampton, before the King and Queenes most excellent Maiesties. Printed at Loudon for Thomas Pauyer . . . 1605." Note that Pavier ascribes it to King's in his entry but not on his title page. The King's men performed at Hampton Court December 26, 27, 28, 30; January 1, and February 2, of 1603-4.<sup>74</sup> Chambers writes concerning this play, "The court performance must have been during the Christmas of 1603-4, which was at Hampton Court."<sup>75</sup> But was one of the plays given *The Faire Maide of Bristow*? Did it belong to King's? Can one trust Pavier's ascription in the entry? At any rate, whatever company owned the play, it was published without that company's permission, for the extant text is a bad quarto.

h) *The London Prodigal*.—This was not entered. Q's title page reads, "As it was plaide by the Kings Maiesties seruants. By William Shakespeare, London. Printed by T. C. for Nathaniel Butter, and are to be sold neere S Austins gate, at the signe of the pyde Bull. 1605." Tucker Brooke sums up the verdict of modern criticism, ". . . any theory which supports the play's authenticity may safely be branded as utterly untenable."<sup>76</sup> I do not see how one can trust Butter's attribution to the King's men if his attribution of authorship is rejected.

i) *The Miseries of Inforst Mariage*.<sup>77</sup>—This was entered by George Vincent, under Buc's hand, on July 31, 1607 (III, p. 357). Q 1's title page reads, "As it is now playd by his Maiesties Seruants . . . By George Wilkins. London, Printed for George Vincent, and are to be sold at his shop in Woodstreet. 1607." Q is a good text, with literary directions. There is nothing distinctive of the playhouse but everything rather of a dramatist writing for production: "Heere they draw. Wentlo, and Bartley come in, and the two Vintners boyes, with Clubbes. All set vpon the two Brothers. Butler, Scarborrows man comes in, stands by, sees them fight takes part with neyther." (E3v); "Put out the Torch." (imperative, F1v); "A noyse within, crying, Follow, follow, follow: Then enter Butler, Thomas and Iohn Scarborrow with money bagges." (F2); "Enter Sir Iohn Harcop with two

or three other with him." (F2v); "Kisse," "Imbrace," "bow and kneele" (possibly imperatives, K4v). Vincent's copy may or may not have come from the dramatist himself.

j) *The Revengers Tragedie*.<sup>78</sup>—This was entered, under Buc's hand, along with *A Trick to Catch the Old One*, to George Eld on October 7, 1607 (III, p. 360). It was published the same year, "As it hath beene sundry times Acted, by the Kings Maiesties Seruants. At London Printed by G. Eld, and are to be sold at his house in Fleete-lane at the signe of the Printers-Presse. 1607." Q is certainly good. The stage directions are literary, not precise as to characters, and there is nothing in them or the text to indicate playhouse origin for the copy. I cite some of the directions: "Enter the discontented Lord Antonio, whose wife the Duchesses yongest Sonne rauisht, he Discouering the body of her dead to certaine Lords: and Hippolito." (Liv, p. 94); "Enter the Dutches arme in arme with the Bastard: he seemeth lasciuiously to her, after them, Enter Superuacuo, running with a rapier, his Brother stops him." (IV.iii, p. 138); and "Enter the other Maske of entended murderers; Step-sons; Bastard; and a fourth man, comming in dauncing, the Duke recouers a little in voyce, and groanes,—calls a guard, treason. At which they all start out of their measure, and turning towards the Table, they finde them all to be murdered." (V.iii, p. 152). Whether Eld bought his copy from the players is not known.

k) *The Devils Charter*.<sup>79</sup>—This was entered by John Wright, under Buc's hand, on October 16, 1607 (III, p. 361). Q's title page reads, "As it was plaide before the Kings Maiestie, vpon Candlemasse night last: by his Maiesties Seruants. But more exactly reuewed, corrected, and augmented since by the Author, for the more pleasure and profit of the Reader. At London Printed by C.E. for Iohn Wright, and are to be sold at his shop in New-gate market, neere Christ church gate. 1607." This has a dedication to Sir William Herbert and Sir William Pope signed "Barnabe Barnes." "The Library of Congress copy has a further address of ten lines to these patrons, not present in the copies known to modern editors."<sup>80</sup> It is obvious from the title page that the copy given the publisher came from Barnes himself. The text has been divided into acts and scenes. The directions are full and literary, but it is revealing to see Barnes thinking throughout in playhouse terms and structure. He uses imperatives for sound effects freely (Dirv, D2, H3, Irv, K1, L1, M2). The following permissive is interesting: "Fiery Exhalations lightning thunder ascend a King, with a red face crowned imperiall riding vpon a Lyon, or dragon: . . ." (Giv).

l) *The Merry Devil of Edmonton*.—There can be no doubt that this immensely popular play belonged to the King's men, for it is

among the "fowerteene severall playes" presented at Court for which John Heminge was paid on May 20, 1613.<sup>81</sup> It was entered in the Stationers' Register under Buc's hand by Arthur Johnson on October 22, 1607 (III, p. 362). Q 1's title page reads, "As it hath beene sundry times Acted, by his Maiesties Seruants, at the Globe, on the banke-side. London, Printed by Henry Ballard for Arthur Iohnson, dwelling at the signe of the white-horse in Paules Church yard, ouer against the great North doore of Paules. 1608." Abrams' recent edition contains an exhaustive analysis of the text. He concludes, "The mangled text with its lack of dramatic unity, its corrupt passages, and its omitted scenes strongly suggests surreptitious publication."<sup>82</sup> Examination of its various stigmata hardly supports the notion that the copy came from Shakespeare's fellows.

m) *A Yorkshire Tragedy*.<sup>83</sup>—On May 2, 1608, Pavier entered under Wilson's hand, "A booke Called A Yorkshire Tragedy written by Wylliam Shakespere" (Arber, III, p. 377). Q 1's title page reads, "Acted by his Maiesties Players at the Globe. Written by W. Shakespere. At London Printed by R. B. for Thomas Pauier and are to bee sold at his shop on Cornhill, neere to the exchange. 1608." The head title reads, "All's One, Or, One of the foure Plaies in one, called a York-shire Tragedy: as it was plaid by the Kings Maiesties Plaiers." Modern scholarship does not accept Shakespeare's authorship as a tenable hypothesis. Indeed the head title states that Q is but a fragment of a longer text in which (as the first scene indicates) four separate plots were somehow joined. Certainly Pavier's ascription of the play to Shakespeare's fellows cannot be considered trustworthy.

n) *The Maid's Tragedy*.—This was entered on April 28, 1619, under Buc's hand to Higgenbotham and Constable (III, p. 647). It appeared the same year, "As It Hath Beene diuers times Acted at the Blacke-friers by the Kings Maiesties Seruants." There are variant imprints, "Printed for Francis Constable etc." and "Printed for Richard Higgenbotham etc." Q 2 came out three years later, "Newly perused, augmented, and enlarged, This second Impression. London, Printed for Francis Constable . . . 1622." Constable and Higgenbotham assigned the play to Richard Hawkins on October 27, 1629 (IV, p. 221).

Again, this is a case of a good quarto superseding an inferior text. Q 2 is much superior. But Q 1 is not a bad quarto. It is not maimed and deformed in the way in which the Shakespearean bad quartos or even *Philaster* are. It omits a few passages, makes minor additions, has a few minor transpositions, substitutes words now and then, et cetera. It does not contain constant restatement, recollections and anticipations, echoes of other plays, major telescoping, borrowing of other character's words or lines, speeches given to the wrong characters, et cetera,

Q 1 is just such a text as one would expect a somewhat careless private transcript to be—especially if more than one copy intervened between the original and it.<sup>84</sup> There are excellent grounds for assuming that it was published without the players' permission. One may surmise that the copy for Q 2 came from the players to replace the inferior text in Q 1. This is what had happened apparently in Q 2 of *Romeo and Juliet* and Q 2 of *Hamlet* (see below).

*o) A King and No King.*—This was published in 1619, "Acted at the Globe, by his Maiesties Seruants. Written by Francis Beaumont and Iohn Flecher," from a private transcript by Walkley, despite an attempt by Shakespeare's fellows to keep it from the press (see below).

*p) Philaster.*—Q 1, "Acted at the Globe by his Maiesties Seruants. Written by Francis Baymont and Iohn Fletcher. Gent," was published by Walkley in 1620. It is a bad quarto. Hence the play was published without the King's men's consent. Q 2 (1622), also published by Walkley, is a good text (see below).

*q) Thierry and Theodoret.*—This was published without entry in the Stationers' Register:

The Tragedy of Thierry King of France, and his Brother Theodoret. As it was diuerse times acted at the Blacke-Friers by the Kings Maiesties Seruants. London, printed for Thomas Walkley, and are to bee sold at his shop in Britaines Burse, at the signe of the Eagle and Child. 1621.

Moseley attributed the play to Fletcher in a Q of 1648 and to Beaumont and Fletcher in a reissue of 1649. It was included in the 1679 folio.

The text is undoubtedly good. The copy for Q did not, apparently, show any clear signs of playhouse use but did contain evidence of preparation (presumably by the author) for production. The following are all marginal directions:<sup>85</sup> "A horn." (p. 16); "Wind horns." (p. 19); "Exeunt. Wind horns." (p. 21); "Loud musick, A Banquet set out." (p. 24); "Soft Musick." (p. 37); "The Dance" (p. 38); and "Within Soldiers" (p. 62). This last may be a warning for the actors to prepare to enter. The following marginal note shows the author's hand clearly, "Exeunt omnes, praeter Brun. Bawdber, Portaldy, Lecure." (p. 17), as does the centered one, "Enter Thierry, and Ordella, as from bed." (p. 30); the centered directions tend to be nondescriptive.

There seems to be almost nothing known about the play aside from Walkley's title page.

Unless we see reason to the contrary, the company must be taken as settled by the statement on the first quarto; but the authorship is left very doubtful. The external evidence is, in fact, unusually weak: of all the plays in the 1679 folio, there are but three—this, *The Coronation*, and *The Two*

*Noble Kinsmen*—that cannot point to contemporary verses, a place among the Beaumont and Fletcher plays in the Cockpit list, a place in first folio, or a prologue, epilogue, address, dedication, or title-page of sufficiently early date, ascribing it to one of our authors, in proof of the justice of its inclusion in the collection. The necessary corroboration is to be found . . . in the internal evidence.<sup>86</sup>

The vexing question of authorship, however, is not the concern here. Whether Walkley's ascription to King's can be trusted I do not know, but it is known that he published *A King and No King* in 1619, *Philaster* in 1620, and probably *Othello* in 1622 without their permission (see below). So, if *Thierry and Theodoret* did indeed belong to King's, one can be fairly sure that Walkley published it without their authorization.

Thus, when a rough summary is made concerning the seventeen non-Shakespearean plays which were attributed to Shakespeare's fellows and were published between 1594 and 1623, it is shown that for not one of them is there sufficient evidence that the printer's copy came from these actors. *A Warning for Fair Women*, *A Larum to London*, *The Revenger's Tragedy*, and *Thierry and Theodoret* show no signs of playhouse origin. *Satiromastix*, *The Malcontent*, and *I Jeronimo* came from different acting companies. *Thomas Lord Cromwell*, *The London Prodigal*, and *A Yorkshire Tragedy* were perhaps not even Chamberlain's-King's plays. *The Fair Maid of Bristow* and *Philaster* were bad quartos. *The Merry Devil of Edmonton* and *The Maid's Tragedy* were from corrupt private transcripts. *A King and No King* was based on a good private transcript. *The Devil's Charter* and *The Miseries of Enforced Marriage* came to the stationers, perhaps, from the authors themselves. These are extremely hypothetical conclusions, for the most part, but they must hold till better ones are available.

## II

At the beginning of Stationers' Register C, there are two unnumbered leaves which the Clerk utilized for certain provisional entries. He seems to have begun at the top of the recto of leaf 1. Under the date "9 Augusti 1596," there are entries referring to loans by the Company to the City. The Clerk next made use of these leaves four years later, setting down the following two entries at the top of the recto of the second leaf:

my lord chamberlens menns plaies Entred  
viz

27 may 1600

To master

Robertes

A moral of clothe breches and velvet hose.

27 may

To hym

Allarum to London.

Following this is another entry:

4. Augusti

As you like yt. a booke

Henry the fift. a booke

Euery man in his humour. a booke

The commedie of muche A doo about  
nothing. a booke

} to be staied

Having made the above notations, the Clerk again made use of these pages in the troubled months of April, May, and June, 1603, before and after the arrival of the new sovereign. His first entries were directly opposite the 1600 ones, at the top of the verso of leaf 1:

15 Aprilis

John Deane. This booke to be entred for his copie yf he gett  
Auctoritie for yt An elegie vppon the deathe of the highe renowned  
pryncesse our late souereigne Lady Elizabeth. vjd w

16 Aprilis

William firbrand. Entred for his copye. A thinge called Ave  
Cesar. God save the king. vjd  
yf he can get yt authorised

Both books must later have been perused and allowed, for John Lane's *An elegie* was published by Deane in 1603 (*STC* 15189) and *Ave Caesar*, "Printed for W.F. and G.L. . . . 1603" (*Hazlitt's Handbook*, p. 296).

Arber writes concerning the letter after the sixpence in the April 25 entry, "This w is evidently the initial of S. Waterson, the warden who licensed the publications so distinguished." But that does not explain why the Clerk did not make a simple "provided he gets authority for it" entrance in the Register proper. For example, three days later, among the regular entrances, on April 18, 1603 (*III*, p. 232), is this:

Eleazar Edgar. Entred for his copie vnder the handes of the Ward-



ens but not to be printed without further Authoritie, A booke called. A trewe Relacon of the treacherous practise attempted by one Mowbray against the person of our highe and mightie prynce and Souereign Lord Kinge James. vjd

Note, however, that the above entrance has "vnder the handes of the Wardens," whereas not a single one of the April and May entries on both sides of leaf 1 has the Wardens' consent signified.

It now becomes apparent why these entrances of April 15 and 16 are not found in the Register among the regular entries. The Wardens refused to give Company consent before the official license was procured. The Wardens and Clerk were then in a dilemma. They could not possibly enter such books at such a time on their own authority. At the same time one must remember that a "provided he get further authority" entrance did establish copyright and that a stationer who had come to the Wardens to obtain a license and was refused would still want an entrance. The Clerk (under the advice of the Wardens, no doubt) therefore decided to utilize the pages at the beginning of the Register for these entrances without any "hands," pages which he had already used for official directions referring to the printing of certain plays.

After he had made the two entrances noted above on the verso of leaf 1, the Clerk used the space between them and the top of the page for an entrance dated "18 Aprilis," with "per token from master man," who was Senior Warden, in the margin:

Edward venge. This copie to be entred to nonne but him yf he gett Authority for yt. viz A thinge in verse called A godly and present Remedy Against the plage bothe of body and soule with a Dolefull songe vpon the death of George Bulwyn late executed at Saint Thomas Watering. vjd

The marginal notation is good support, I believe, for my inference that the Clerk used these two leaves by direction from the Wardens. Observe, also, that this copy has, apparently, nothing to do with James or Elizabeth. The Wardens seem to be afraid of allowing regular entrance to *any* copy that had not been previously officially authorized.

For his next entrance the Clerk turned to the recto of leaf 1. Beneath the notations under "9 Augusti 1596," which I have already noticed, are three entrances. One is dated "25 Aprilis":

Thomas Millington. This book is not to be entred to any but hym,

nor to hym neither vnles he bring my Lord graces hand or my Lord of Londons hand, for Auctoritie viz A book called Englandes Moarninge garment Worne here by playne shepheardes in memory of their sacred mystres Elizabeth. . . . To which is added the true maner of her ymperiall funerall after which folowith The Shepherdes spring songe of enterteynement of king James &c. vjd w

Whatever one may think of the Warden's fears in not giving licenses to such books as the ones in the entrances of April 15 and 16, the above entrance concerning Chettle's seemingly innocuously patriotic pamphlet<sup>87</sup> does indicate their anxiety. After all, Chettle treats of state matters, of Henry VIII, Mary, the new king, treason, religious differences, et cetera. One must remember that in those days a sovereign's whim could lead to fines, imprisonment, torture—remember Prynne—and must recall that the officers of the Stationers' Company could not as yet know anything of the taste or clemency of James I. It is no wonder at all, then, that the Wardens did not greatly desire to license on their own authority books which had not as yet been officially licensed. Millington must have subsequently procured official authorization, for he published two editions in 1603.

Beneath the above entry on leaf 1 recto is a similar one for "28 Aprilis":

Thomas myllington. The proceeding at the funerall of the high and mightie Pryncesse Elizabeth . . . 28 Aprilis 1603 not to be printed without Authority vjd w

This little work Millington inserted in *England's Mourning Garment*. It seems to be "the true maner of her ymperiall funerall" of his first entrance. Why he made (or was forced to make?) a separate entrance for it, three days later, I do not know. At any rate, the required "authority" was certainly procured.

Between the entry of 1596 and the one for April 25 is an undated one:

Thomas Snodam. This booke is not to be entred to any but hym videlicet A Discouerye of the vnnaturall and trayterous Conspiracie of Scottishe papistes against God his church their native Cuntrey the Kynges maiesties person and estate printed at Edinburgh 1592.

One guesses that this entry too was in April, 1603, perhaps made between April 18 and April 25. It is interesting because it indicates what I have said above concerning the stationers' desire

to establish copyright by some kind of entrance even though it were not in the Register proper. And this desire was not foolish—witness Law's utilizing for one of his own publications parts of Millington's *England's Mourning Garment* and then being fined by the Stationers' Company for infringing upon the latter's copyright<sup>88</sup>—which ultimately was based on the April 28 entrance noted above. The Snodham entry is further revealing in that it shows the Clerk in an emergency making an entry even more peculiar than the others without any authority—it is more a note than a regular entrance.<sup>89</sup> The style of the entry, its place in these pages were due—there cannot be any doubt—to the nature of the contents of the book.

Since the Clerk had no more space on the recto of leaf 1, he turned to the verso. An undated entry below the one for April 16 may have been made on that day or after April 28. It reads:

Master Leake. This is to be entred to hym yf he can gett Authority for yt A poetes vision and A prynces glory. Dedicated to the highe and mighty King James king of England Scotland Ffrance and Ireland

In the margin is "per token from master Man." Note there is no payment of a fee—and yet in an exactly similar entrance above for April 15 the fee is recorded. These entrances without fees are certainly crosses between true entrances and mere memoranda that the Clerk found it necessary to record in order to protect the rights of certain stationers. The book, by Thomas Greene, was published by Leake in 1603 (*STC* 12311).

The next entry is under "12 maij":

William aspley. The speache Delyuered to his maiestie when the Sh[e]riues mett his highnes. Delyuered in the name of the whole citie. ys not to be entred to any but to william Aspley when he hath authority for it.

The next entry is extremely important for my purposes, but I shall forego an analysis of it until later:

18 maij

Henry Gosson. A booke called A warninge peece to bribers is to be staied and not entred to any but hym when he hathe Authority for it.

Note that this book has nothing to do with the late queen or the new king.

The last entries on the page are under "ultimo maij":

Edward veng. he hath Clement knightes consent as he saieth and would haue entred for his copy. having master mans consent without his hand to yt as he sayeth bycause it is a trifling thing a book called Gods decree or here[di]tary right wrytten by Andrewe Leechio Scotto. vjd

william white. The Erle of Essex going to Cales a ballad to be stayed for him begyns gallantes &c

As to the first entrance to Venge, Knight's consent was probably necessary because the latter had published the Latin version of Leech's book, "V. S[immes] pro C. Knight, 1603" (STC 15355). The Clerk does not indicate that Venge is to obtain authority for this "trifling thing," but it is completely certain that the Clerk, without directions from the Wardens in this instance, entered it here because, being a book which concerned itself with the then dangerous subject of hereditary rights (think of the new king!), it had not been formally authorized by either Warden or ecclesiastic. The entry following, like that of May 18, is important because of the phrase, "to be stayed." Note, also, that no fee is recorded.

Having filled 1 verso, the Clerk turned to the recto of the second leaf, and made his first entrance immediately below that of "4. Augusti."

23 Junij. 1603

Thomas Thorp william aspley. This is to be their copy gettinge authority for [it] A leter written to ye governors and assistantes of ye Est Indian merchantes in London Concerning the estat of ye est Indian flete &c. vjd w

Authorization was certainly subsequently procured, for the letter was published in the same year, "Imprinted for Thomas Thorpe, and are to be sould by William Aspley, 1603."

The next entry was probably made at the same time:

Thomas Thorp William aspley. This is to be their copie by direction from our master master Byssshop. They gettinge Authoritie for yt viz a booke called panegirique or congratulation for the concord of the kingdomes of great Britaine in the vnitie of religion vnder king James &c. written in French by John Gordon Lord of Long orme and one of the gent of the French Kinges chamber. vjd

The names and entry are crossed out, and in the margin is, "It is

before entred to master Seton." And so it had been on June 7 (III, p. 236), "vnder thandes of master Doctor Mountford and the Wardens."

The next entry is "2 Julij." It is unusual among these other entrances of these three months in that the question is not one of future authorization but of ownership of copyright. The Clerk was using these two pages for entrances that did not seem to fit into the Register proper. Nevertheless the condition is merely the usual "saving any man's right" or "salue jure cuiuscunque":

christopher wilson. This is to be his copy yf no, other partie haue right vnto yt viz a booke called the Divine Workes of the worldes birthe of the right noble and Rare Learned Lord V. W. Salustius Du Bartas: yt is vnder thhandes of master Hartwell and the wardens. vjd

The Clerk had finished the recto of the second leaf. Three years later, he used the verso for another entry demanding authorization:

1605 Marche 22

Arthur Johnson. This booke by direction from master norton warden vnder his hand is to be entred for arthur Johnsons copie when he bringes better or sufficient AuthORITY for yt. viz. A faythefull admonition to the Vnited Lowe Cuntreies not to harken after any Intreated Articles of peace nowe lately sett forthe and spred abroad. Seruinge also for A warninge to all true Christians and lovers of the Lowe Cuntreies liberties Wrytten by a certain louer of the same liberties printed in the yere of our lord 1605.

The next entry on the page is of 1615, "21 ffebruarij 1614." It concerns a loan of thirty pounds made to Raffe Mabb by Nathaniel Butter. If Mabbe does not return the money by May 21, "the Copie called *"The deceitfullnes of mans harte"* shalbe turned over and entred in the hall booke for the said Nathaniell Butter for ever." The last seven words are crossed out and a sentence to the effect that Mabbe has paid follows.

The last entry, "9 Maij 1615," reads, "If any of master Deane of Windsor copies come to be entred, master Knight is to have notice thereof." Arber after Dean puts "Nicholas West, LL.D." in brackets. This is wrong. The entry refers to Anthony Maxey who was Dean 1612-18.<sup>90</sup> Clement Knight seems to have been his chosen publisher (see *STC* 17684-94). Here, therefore, is a pub-

lisher demanding that he be notified when any work by an author for whom he is the authorized publisher came to be entered. Is it not to be inferred, therefore, that Knight intended to call upon this powerful ecclesiastic in order to prevent such an entrance?

These final entrances show the Clerk again using these blank pages for extraordinary material which he desired to record and for which there was no place in the Register proper.

To summarize: The Clerk in April, May, and June, 1603, was using two blank leaves at the beginning of Register C in order to make certain entries in which it is demanded that before the book in question is to be entered, it is to be officially authorized. Because some of these books were later published, one may take it for granted that there is positive knowledge that authorization was procured subsequent to the time of entry. But *none* of these titles later appears in the Register proper. The conclusion is inescapable that when the Clerk wrote "this copy is not to be entered but to this stationer if he get it authorized," he meant "this copy is entered to this stationer if he get it authorized." Exactly the same confusing sense of "entered" is used in the Register proper when the Clerk writes, "Entered to him a book . . . provided he get authority." I conclude, therefore, that there is no difference in kind between the entrances of April, May, and June, 1603, and the entrances in the Register proper which contain "provided he get authority," or similar expressions. (The sole difference is one which, I have suggested, made the Clerk use these blank pages: the Wardens refused to license the books prior to official licensing and hence their hands do not appear.) It may now be understood why eight of these thirteen provisional entrances record the payment of fees. They were regarded as final entrances—just as a provisional entrance in the entrance proper was regarded as final and was not followed by a second entrance containing the same title. Moreover, there is evidence that the five 1603 entrances without "vjd" after them were also regarded as final, for the undated entry to Snodham was not followed by an entrance in the Register proper although the book was published by him. Finally, it must be noted that the entrance for April 16, except for the absence of "under the hand of the Wardens" is exactly like the provisional entrances in the Register proper. The meaning of this entry is that of the ones preceding and succeeding it. The entrance for April 28 sums up the whole meaning of these thirteen

entrances when it states simply "not to be printed without authority"; the entering stationer's name is in the margin, and the title is under the date.

Now the two contingent entries of May 12 and 18 may be examined:

[The copy] ys not to be entred to any but to william Aspley when he hath authority for it.

[The copy] is to be staied and not entred to any but hym [Henry Gosson] when he hathe Aucthority for it.

"Is not to be entered to any but to William Aspley when" is merely a more forceful way of saying "to be entered to William Aspley when." Thus the entry of May 12 bears the same meaning as all those preceding it. It indicates that Aspley is to have the book entered to him if he has it authorized. Now as for the entry of May 18, either it had the same meaning as that of May 12, or it did not have the same meaning. The question—and it is a perplexing one—is to be answered by the interpretation of the residual phrase, "to be staied."

It is helpful to examine certain examples of the Elizabethan use of the verb "stay." The word occurs in a letter, endorsed June 1, 1583, from the Bishop of London to Burghley (I, p. 246). Having received letters from the Privy Council informing him that "good and carefull orders shoulde be deuised and taken for restrayninge the excessive number of printinge presses to be erected, and that suche as were suffred shoulde be bounde to good vsage for avoideinge of manyfold daungers," the bishop relates that concerning all suspicious presses, he "gaue warraunt to the wardens of the Stacioners to make serche and to staie suche presses and printinge stufte till such a time as order might be taken for the well vsinge thereof accordinge to your Lordships Direcons." Concerning a press in Cambridge which "was stayed amonge the rest till order [be] taken" despite the protest of the Vicechancellor, he writes:

Nowe yt is not my meaninge nor of anye that I knowe to contende againste the vniuersities priuiledge, but for the causes aforesaid I made staie and yett doe till I vnderstand your pleasure for good Assuraunce to be had bothe of that prynter and his mynisters. . . .

The contextual meaning of "stay," here, is "to suspend from operation until a certain action be done."

Now this discussion must turn to the *New English Dictionary* for examples of "stay" in the sense of "To stop, arrest, delay, prevent (an action or process, something which is begun or intended). Freq. in legal parlance."

1525 *St. Papers Hen. VIII*, VI 513 On the morow . . Your Highnes letters . . arrayvyd here, whiche stayde our goyng to thEmperour, unto we had perused them over.

1542-3 Act 34 & 35 *Hen. VIII*, C. 27 #114 Item that no execucion of any iudgement geuen . . be staied or deferred.

1579 *Lyly Euphues* (Arb.) 114 Neither lette rayne nor thunder . . stay thy iourney.

1597 *Shaks. 2 Hen. IV*, IV. iii 78

*Lan.* Now, have you left pursuit?

*West.* Retreat is made, and execution stay'd.

*Lan.* Send Colevile with his confederates To York, to present execution:

Here, again, is the meaning of temporary suspension of a given action, the lifting of this suspension being dependent on the doing of a second action.

In short, "to stay" seems to have been in common use in the sense of "to halt temporarily until. . . ." This use is apparent in a decree of the Court of the Stationers' Company, June 25, 1600:

Ad. peticonem Io. Rodwell. yt is ordered that Catechismus schole Pauline and any addition to yt shall be staied & not entred for any man till further order be taken for it.<sup>91</sup>

This meaning of the decree is evident. No one is to enter Mulcaster's textbook (no one is to be officially given the publishing rights which came into being by the act of the entrance) until "further order be taken." That which was being temporarily halted, therefore, was the Company's giving a certain stationer the right to print a certain book by allowing him to enter that book. The book was not to be entered "till further order be taken."<sup>92</sup>

Again the scholar must ask: Did "be staied" mean "not entred for any man till . . .," or did it possess a further meaning? The question of how the Stationers' Company could intervene in the printing of a new book must first be answered. It has been seen that in order to print his copy, it was essential that the stationer



have it licensed. It has also been seen that if the copy had been officially perused and allowed, it was not necessary for the stationer to bring the copy to the Clerk to be entered. Copyright in this case was not established by entrance but by the act of printing. The stationer, therefore, could procure his license and gain copyright without approaching Stationers' Hall.

If, however, the stationer wished to establish copyright as soon as he received his copy, he could do so by entering this copy (a) after having it licensed by an official censor, (b) after having it licensed by the Wardens, (c) after having it licensed by both, and (d) *before* having it licensed by an official censor. Any other stationer who printed the copy subsequent to the making of this entrance was subject to prosecution by the Company on the behalf of the enterer—witness the fining of Law for printing *England's Mourning Garment*.<sup>93</sup> The Company within the entrance could make any conditions that it thought necessary. Normally its sole condition was an imperative one—the stationer had desired to make an entrance before procuring an official allowance, and the Clerk was instructed to add to the usual phraseology of the entrance, the clause “if he get it authorized.”

Entrance of a copy established both the stationer's right to print the copy and his perpetual copyright in the copy. The act of entrance by the Clerk signified the Company's consent to the stationer's establishing such rights. Since the Company could grant him the right to print either conditionally or if he fulfilled a certain condition, *or* not grant him the right to print, and since the first two decisions led to entrance and the last decision negated entrance, it follows that the Company's jurisdiction over copy-to-be-printed was expressed in the words “entered”; “entered to him if . . .” or “not to be entered to him until . . .”; and “not to be entered.”<sup>94</sup>

I think, therefore, that we may conclude that the meaning of the entrances of May 12 and May 18 is exactly the same. “To be staid” equals “to be entered when.” All the entries of April, May, and June, 1603, are “staying” entries: the stationer whose name is in the margin is to enjoy the rights given by an entrance without conditions when he fulfills the conditions expressed. This would make all conditional entrances in the Register proper “staying” entries. But this should not be surprising, for it has already been

seen on other grounds that the entrances of April, May, and June, 1603, are equivalent to the various conditional entries scattered throughout the Registers. Not only could a book "be stayed" for one man, as on May 31:

william White. The Erle of Essex going to Cales a ballad to be stayed for him. . . .

—this meaning that "this ballad is to be entered to White when he gets it authorized" or as the Clerk might put it, "this ballad is not to be entered to any but him when he has it authorized"—but a book could be "stayed" in relation to the stationers at large: Mulcaster's *Catechismus Paulinus* was not to be "entred for any man till further order be taken for it." In the one case, the rights granted by entrance were to be temporarily halted *for one stationer* until a certain condition had been carried out; in the other case, the rights granted by entrance were to be temporarily halted *for all stationers* until a certain condition was carried out. In the language of the Company, in both cases the book was not to be entered until a certain condition was satisfied. Now usually this condition, as has been seen, was that the stationer get his copy officially licensed. But the Warden could make this condition even more specific by citing the name of the licenser. For instance, Millington was told to have *England's Mourning Garment* licensed by either the Archbishop of Canterbury or the Bishop of London. A case of "staying" a number of copies until the consent or license of a specific individual was gained is implicit, I have inferred, in the memorandum of May 9, 1615, on the verso of leaf 2 of the blank pages. Maxey's unprinted works are "to be stayed."<sup>98</sup>

Furthermore, there is evidence that the Company could "stay" or halt the entering or printing of certain copy upon the request of a strong authority outside the Company. It is a court order of February 5, 1593. Wilbraham was Master of Requests:

Toby Cook. Vpon the letters of mr wilbraham, yt is ordered that Toby Cook (and none other) shall haue the printinge, of the truthe of the murder of Robert hayton, as yt shalbe found and deliued to the seid Toby by the seid mr wilbraham And that yf any shall presume to meddle therewith he shalbe staied.<sup>99</sup>

Thus, the Stationers' Company was requested by a powerful individual outside the Company to "stay" certain copy, that is, order

that that copy be not entered or printed except by a certain stationer to whom that powerful individual would deliver an authorized copy.

Preparation has now been made for two significant conclusions. (a) Entrance established copyright, but it was possible for a stationer to establish copyright in a book even though the requirement "provided he get better authority" was present in his entrance. Such an entrance was "staying" in the sense that copyright was not to be operative until proper authorization was procured. Sometimes, a specific licenser was named. (b) Not only could the Stationers' Company order certain books not to be entered or printed until a certain condition had been fulfilled, but the Company might announce such a "staying" order on the request of a powerful outside authority.

Knowing that the Lord Chamberlain's men were the victims of stationers who published their plays without their consent, one might surmise that the players would adopt the means of controlling the printing of the plays in their repertory implicit in (a) and (b) above. They did.

a) The Lord Chamberlain's men had friendly stationers (first James Roberts and then Edward Blount) make entrances of plays which they feared might be printed surreptitiously. Sometimes these blocking entries were provisional, sometimes not; in one case the required authority was specifically named as the Lord Chamberlain.<sup>97</sup> The purpose of these blocking entries was, of course, to make it impossible for any stationer bent on surreptitious publication subsequently to establish stationer's copyright in the play whether by entrance or by printing, for stationer's copyright would already be in the possession of the friendly stationer. The blocking entry was not the prelude to publication. It was merely an attempt to make it impossible for the players to be robbed of the play named in it, an attempt, that is, to make it impossible for the play to be published without their consent or knowledge and without any payment to them for the copy. It was an attempt to render impossible the appearance of a mangled text or the unsanctioned printing of a good text.<sup>98</sup>

b) The players attempted to "stay" the publication of their plays by means of external authority. The Lord Chamberlain issued decrees to the Wardens of the Stationers' Company that no plays of the King's men were to be entered or printed without the players' consent. Furthermore, according to the second leaf of Register C, they attempted

to "stay" entrance or publication on their own authority. And the same page supplies evidence that on an earlier occasion they seem to have momentarily upset tradition by having certain plays entered on their own score.<sup>99</sup>

The decrees issued by the Lord Chamberlain fall, of course, in the category of extralegal interference in the affairs of the Stationers' Company. This interference was extralegal in two ways: (a) the order did not originate within the guild, but emanated from one who normally had little to do with the Stationers' Company; (b) it was the custom of the members of this guild to enter and publish any work without the author's or his assign's consent. One should remember that a decree of the Lord Chamberlain staying plays of the King's men until the actors' permission was indicated was announced to the stationers at large by the Master and Wardens, and it was meant to have precisely the same restraining effects as the Court decree of June, 1600, which forbade the entrance of *Catechismus Paulinus* "till further order be taken." There is extant evidence that on three occasions such decrees were issued to the Stationers' Company by the Lord Chamberlain—1619, 1637, and 1641. (I shall try to show later that this official's attempts to aid Shakespeare's company in its efforts to keep its plays from being printed probably go back to 1598.)

George Carey, Baron Hunsdon, in 1598 was not only Lord Chamberlain but the patron of Shakespeare's company. After the accession of James, the company became the King's men. But it should be remembered that the Lord Chamberlain would continue to be the dignitary to whom they would appeal in time of need. Since he was the chief officer of the king's household, above the Master of the Revels, his majesty's players would be directly under his jurisdiction.<sup>100</sup> That the King's men in 1623 still regarded the Lord Chamberlain as their special friend is attested by the dedication of the First Folio, "To the Most Noble and Incomparable paire of Brethren. William Earle of Pembroke, &c. Lord Chamberlaine . . . and Philip Earle of Montgomery, &c. . . ." This dedication was retained in 1632. William became Lord Chamberlain in 1616 (*DNB*, XXVI, p. 229), and Philip succeeded him in the office in 1626 (*ibid.*, XXVI, p. 209).

The decrees to the Stationers' Company which the Lord Chamberlain issued on behalf of the King's men may now be considered.

a) On May 3, 1619, William, Lord Chamberlain sent a letter which has not been preserved. To quote Chambers:

On 3 May 1619 a letter was addressed by the Lord Chamberlain to the Stationers' Company directing that none of the King's men's plays should be printed 'without some of their consents'. Its exact terms are not preserved . . . [This] letter is recorded by Malone under the date 1619 alone from the Stationers' Company's *Court Book*, C. f. 55 b, in his annotated *Shakespeare* (1790), i. 2. 132 (Bodl. Malone, 1046).<sup>101</sup>

The fact that Malone gives the year only whereas Chambers is able to give the month and day leads one to infer that the latter has examined the Court Book himself. Note that the Lord Chamberlain's letter *was* posted by the Clerk among the "Decrees and Ordonnances"—and one may take it for granted that "order was given" to the stationers at large. The matter of the 1619 letter is, fortunately, preserved in that of 1637.

b) On June 10, 1637, Philip, Lord Chamberlain, sent the following letter to the Master and Wardens of the Stationers' Company:

Whereas complaint was heretofore presented to my dear brother and predecessor, by his majesties servants, the players, that some of the company of printers and stationers had procured, published, and printed, diverse of their books of comedyes, and tragedyes, chronicle historyes, and the like, which they had (for the special service of his majesty and for their own use) bought and provided at very dear and high rates. By means whereof, not only they themselves had much prejudice, but the books much corruption, to the injury and disgrace of the authors. And thereupon the master and wardens of the company of printers and stationers were advised by my brother to take notice thereof, and to take order for the stay of any further impression of any of the playes or interludes of his majesties servants without their consents: which being a caution given with much respect, and grounded on such weighty reasons both for his majesties service and the particular interest of the players, and soe agreeable to common justice and that indifferent measure which every man would look for in his own particular, it might have been presumed that they would have needed no further order or direction in the business, notwithstanding which, I am informed that some copies of playes belonging to the king and queenes servants, the players, and purchased by them at dear rates, having been lately stolen or gotten from them by indirect means, are now attempted to be printed; which, if it should be suffered, would directly tend to their apparent detriment and prejudice, and to the disenabling them to do their majesties service; for prevention and redresse whereof, it is desired that order be given and entered by the masters and wardens of the company of printers and stationers, that if any playes be already entered, or shall hereafter be brought unto the hall to be entered for printing, that notice thereof be given to the king and queenes servants, the players, and an enquiry made of them to whom they do belong; and that none bee suffered to be printed until the assent of their majesties' said servants be made appear to the Master and

Wardens of the company of printers and stationers, by some certificate in writing under the hands of John Lowen and Joseph Taylor, for the kings servants, and of Christopher Beeston for the king and queenes young company, or of such other persons as shall from time to time have the direction of these companies; which is a course that can be hurtfull unto none but such as are about unjustly to peravayle themselves of others' goods, without respect of order or good government; which I am confident you will be careful to avoyd, and therefore I recommend it to your special care. And if you shall have need of any further authority or power to enable you in the execution thereof, upon notice given mee either by yourselves or the players, I will endeavour to apply that further remedy thereto, which shall be requisite. And soe I bid you very heartily farewell.<sup>102</sup>

There can be little doubt that the letter of the previous Lord Chamberlain to which his successor refers was that which the Clerk recorded on May 3, 1619. "Comedyes, and tragedyes, chronicle historyes" published surreptitiously and with "much corruption" applies aptly, as will be seen, to the so-called 1619 quartos.

c) In 1641, the King's men again appealed to the Lord Chamberlain, Essex, to aid them in "staying" plays which were to be published without their consent:

To my very loving friends the Master and Wardens of Stationers' Company:

The players which are his Mats servants haue addressed themselves vnto mee as formerly to my pr'decessors in office, complaining that some Printers are about to Print & publish some of their Playes which hitherto they haue beene usually restrained from by the Authority of the Lord Chamberlain. Their Request seemes both just and reasonable as onely tending to preserue them Masters of their proper Goods, which in Justice ought not to bee made comon for another mannes profit to their disadvantage. Upon this Ground therefore I am induced to require your care (as formerly my Predecessors haue done) that noe Playes belonging to them bee put in Print without their knowledge & consent. The particulars to which they now lay claime are contained in a List inclosed and if any of those Playes shall be offered to ye Presse under another name then is in the List expressed, I shall desire yor care that they may not bee defrauded by that means but that they may bee made acquainted with it, before they bee recorded in ye hall & soe haue Opportunity to shew their right unto them. And thus not doubting of yr ready care herin I bid you hartily farewell & rest

Yor very loueing friend  
Essex.<sup>103</sup>

This warrant is followed by a list of sixty plays of the King's men which had not yet been printed.

To summarize: In 1619, because some of the King's men's plays had been published surreptitiously, the Stationers' Company was informed that none of this acting company's plays was to be

printed without their express consent. This order was retroactive in that the word "impression" includes reprints as well as first publications. In 1637 the Lord Chamberlain was more specific but not more drastic than he had been in 1619: no King's men's play was to be entered without the consent of the players in written form; and no play, even though entered, was to be printed without their permission. The 1641 decree declared that none of this same acting company's plays "bee recorded in ye hall" or "bee put in Print" without the players' "knowledge & consent."

Up to the very publication of the First Folio, Shakespeare's fellows suffered constant defeat in their attempts to control the publication of their plays in spite of staying orders, in spite of blocking entries, in spite of Lord Chamberlain's decrees. Why was this so?

According to the custom of the guild, it was only necessary before entrance or printing to have copy authorized by any recognized "authority." Moreover, even after the bishops' decree of 1599, plays were entered with the Wardens' license alone. It was also entirely legal for a stationer to print licensed copy which had never been brought to the Hall for the Wardens' consent. There is no evidence that there was any compulsion for a stationer to relicense copy which had once been licensed by him or by the stationer who had sold him the copyright. Once a stationer had established copyright nothing could deprive him of it except intervention by a high government authority—and this action was definitely extralegal in that it rudely thrust aside the rules, regulations, and customs of the stationers' guild. It was totally against the custom of the stationers to ask the author or his assign's permission before printing a transcript (of however corrupt form) that had come into the stationers' possession. Elizabethan and Jacobean authors were forced, as has been shown, to submit to the tyrannical fact that they possessed no control over the publishing of their own work once copies of this work came into being. Seemingly, the only way an author could remedy this unfortunate situation was to give the stationer who had established copyright in the work a better copy than the stationer had printed or was prepared to print. And, of course, there is no evidence that the Stationers' Company ever engaged in the interests of the author against the stationers to decree that the former's consent was necessary before any of his works could be printed. The idea is

ludicrous. Finally, no one should lose sight of the fact that to the stationer the transcript of a play was merely manuscript. There was no concept of stage right affecting the disposition of printing right. The Lord Chamberlain's decrees that the stationers obtain the consent of the players before publishing any of the plays in the latter's repertory were outrageously against the custom of establishing copyright in and printing any manuscript without any but the Wardens' or censor's authorization. The attempt to have the stationer procure the players' permission for *any* edition of a play was totally against the notion of perpetual copyright, of printing editions after the first without even procuring the Wardens' permission, to say nothing of the official licenser's.

As for the blocking entry, it is probably very difficult for us to conceive how angry its employment must have made the stationers of Shakespeare's time. It was not only a deliberate invasion of stationers' rights by an outsider but also a direct restriction of trade. The blocking entry nominally established copyright for the enterer, but actually it gave the players control of copyright in so far as it kept stationers who wanted to publish from obtaining copyright, while at the same time it gave copyright to an enterer who never expected to publish. The blocking entry, furthermore, kept books off the market that would have a good sale, that would give profit to publisher and bookseller, and employment to printer, stitcher, and binder. Normally no honest stationer would ever think of publishing directly in defiance of an entrance by another stationer. But from what I have just written, one should not be surprised when he finds both individual stationers and the Wardens of the Stationers' Company disregarding or circumventing the blocking entries instigated by Shakespeare's fellows.

The reader may already have asked himself why the Wardens allowed blocking entries to be made. The answer is that according to the customs of the guild *any* stationer who brought a copy to the Wardens and paid his sixpence could get at least a conditional entry. As for the Lord Chamberlain's decrees, the guild had no choice but to announce them. However, the fact that the decrees were posted and the blocking entries made under the Wardens' hands should not delude one into believing that the guild officers favored the players; there is evidence that the former, as was natural, acted in the interests of the stationers. The notes of May and August, 1600, were made, I suspect, not on the request



of the players—but either on the direct request of the Lord Chamberlain or on the request of the players as the Lord Chamberlain's agent.

The story of the battle of Shakespeare's fellows with the so-called "pirates" can now be begun. It should be remembered constantly how jealous the stationers were of their rights. Who were the players to dictate to them, and to dictate to them to their own commercial disadvantage?

### III

The Lord Chamberlain's men came into being in 1594. To what degree this acting company was composed of players from the Strange-Admiral's amalgamation is not known. It is not known definitely whether Strange's (Derby's) men had remained intact in the amalgamation and so, intact, had become the company of the Lord Chamberlain's men. Nevertheless, the mangled texts of *Fair Em* and *Orlando Furioso* were stolen from the separate or combined companies before June 3, 1594, the date on which the Lord Chamberlain's men make their first appearance in extant documents.<sup>104</sup> Various members of the Chamberlain's men would remember these texts with anger, and, if they were men of sensibility, with horror. More than that, Shakespeare's fellows would be angry over the stealing and deforming of *II Henry VI (The First Part of the Contention)* entered in the Register before June 3, 1594, but surely produced by them after this date.

*Titus Andronicus* was entered by Danter on February 6, 1594, and printed as a good quarto that year. Strange's men became Derby's after September 25, 1593. The latter is one of the three companies to which the play is attributed on its title page. *Titus Andronicus*, too, was owned and acted by the Chamberlain's men. That it was published with the consent of Shakespeare or Derby's men is doubtful.

When *III Henry VI* came out in a bad text in 1595, "The true Tragedie . . . as it was sundrie times acted by the Right Honourable the Earle of Pembroke his seruants," but now in the repertory of the Chamberlain's men, Shakespeare and his company must have been extremely irate. The poet was not only irate but exceedingly mortified to find his work appearing before the reading public in such crude and debased form, while he was utterly

helpless to keep copies from being sold. But more ill was to follow. Sometime in 1597 *Romeo and Juliet* came out in a butchered copy. It was as though a child had copied a masterpiece in crude crayon and his copy had been proclaimed as the masterpiece. But Shakespeare could do nothing. Late in the same year in which the bad quarto of *Romeo and Juliet* appeared, a bad quarto of *Richard III* was published. Let the reader try to conceive the fury and mystification of Shakespeare and his fellows. Since the formation of the company, three of Shakespeare's plays had been stolen, not only stolen but defiled and corrupted. In 1597 appeared also a good quarto of Shakespeare's *Richard II*. That it was printed with the consent of the author and his fellow sharers is, as I have suggested, a dubious hypothesis. In the year 1598, the Chamberlain's men first attempted to protect themselves from surreptitious publication.<sup>105</sup>

For July 22, 1598 (III, p. 122), this entry appears in the Register:

James Roberts. Entred for his copie vnder the handes of bothe the wardens, a booke of the Marchaunt of Venyce or otherwise called the Jewe of Venyce Prouided that yt bee not prynted by the said James Robertes or anye other whatsoeuer without lycense first had from the Right honorable the lord Chamberlen vjd

This is a normal conditional entry, except that the particular authority to be procured is specified; yet although the Lord Chamberlain was to be nominal licensor, the real licensor (that is, giver of consent) was to be the Lord Chamberlain's players. How can one be certain that this was so? If it were the Lord Chamberlain's license that was necessary, Roberts presumably would have procured it and published an edition in 1598. But Roberts did not publish the *Merchant* in this year. On October 28, 1600 (III, p. 175), the following entry is found:

Thomas haies. Entred for his copie under the handes of the Wardens and by Consent of master Robertes A booke called the booke of the merchant of Venyce. vjd

Now as Greg has pointed out,<sup>106</sup> "A booke called the booke of the merchant of Venyce" means that Heyes had brought to Stationers' Hall an official promptbook, for the acting companies were accustomed to refer to a particular promptbook as the "book of such-and-such a play." Q 1 appeared in 1600, "At London, Printed by I. R. for Thomas Heyes," and it may be concluded

that when Roberts sold the copyright, he reserved the printing right—this was common practice in the assignment of copies by printers.

When, therefore, the *Merchant* was published, it was published with the full consent of Shakespeare's company. It would appear, then, that in 1598 the Lord Chamberlain's men, fearing that the play would be stolen, protected themselves in the only peaceful way in which they could protect themselves: by having an entry made in the Stationers' Register which would keep other stationers from entering or publishing the play. This assumes that Roberts was a friend of the company; this assumption is initially valid, for he printed their playbills.<sup>101</sup> The entry, however, is a conditional entry; in other words, the *Merchant* was "to be stayed" until official allowance had been given. Furthermore, a specific licenser who was not one of the regular licensers is named. In this latter respect, the entry is unusual in the Registers proper. If the Lord Chamberlain's men could trust that Roberts would not publish the *Merchant* without their consent and if a regular entry was sufficient to keep others from publishing it, why, one may ask, was the provision that he obtain the Lord Chamberlain's consent formally included in the entrance? The answer is, I think, extremely simple. When Roberts entered the play he must have brought a warrant from the Lord Chamberlain that the play was never to be published without the latter's consent. The Clerk, therefore, entered the play to Roberts and included his lordship's order in the entrance. This explanation accounts for "or anye other whatsoeuer," for the warrant had probably read that no one was to print the play without license "first had" from his lordship. It is also possible that the Lord Chamberlain's men wanted this provision inserted in Roberts' entry. If they feared surreptitious publication of the play, by their having it specifically stated that the play was not to be published without the Lord Chamberlain's consent Shakespeare's fellows might effectively frighten off any stationer who might have the temerity—if Roberts made a normal entry—to claim that the other stationer had begun printing the play *before* Roberts had entered it—to claim, that is, prior possession of the copyright. Furthermore, the provision would intimidate any stationer who might want to publish the play in the future. Although it is conceivable that a stationer, knowing about the agreement between the friendly stationer and the Lord

Chamberlain's men, might dare to publish the play in spite of the acting company's objection (as, later on, Bonion and Walley did in the case of *Troilus and Cressida*), it is not so easily conceivable that any stationer would publish the play in direct defiance of the Lord Chamberlain.

The title page of the first extant edition of *Love's Labor's Lost* reads, "As it was presented before her Highnes this last Christmas. Newly corrected and augmented By W. Shakespeare. Imprinted at London by W. W. for Cutbert Burby. 1598." It had not been entered. I have argued elsewhere that the legend, "Newly corrected and augmented," is hardly enough evidence to assume that the extant edition was preceded by a lost bad quarto.<sup>109</sup> Nevertheless, I am inclined to reverse my position concerning the possibility of this bad quarto because of the condition of the 1598 text. This, as has been seen, was probably printed from the dramatist's foul papers. The combination of legend and foul papers does point to the actors' supplying the publisher who owned the copyright with a good version to take the place of a preceding printed version that was maimed and deformed. (This is what can be assumed to have occurred in the cases of the second quartos of *Romeo and Juliet*, *Hamlet*, *Philaster*, and *The Maid's Tragedy*). Perhaps, then, *Love's Labor's Lost* was stolen from the players and printed in a corrupt version in or before 1598. Burby's copyright would then be based on the publication of this bad quarto. He assigned his rights in the play to Ling on January 22, 1607 (III, p. 337).

In 1598 the second edition of the bad quarto of *Richard III* appeared. A good quarto of *I Henry IV* was entered on February 25, 1598 (III, p. 105), and was published in the same year by Andrew Wise. That one has no right to postulate that Wise received his copy from Shakespeare's fellows I have already indicated.

Although it has been assumed that "the second edition of *Romeo and Juliet*, printed in 1599 by Thomas Creed for Cuthbert Burby, was an authorized edition, printed with the goodwill of the players,"<sup>109</sup> there is just as much probability that on Burby's offering to reprint Q 1 of *Romeo and Juliet* (of which he may have purchased the copyright from Widow Danter), the players were forced to give him a good version in order to prevent the reappearance of the bad version. At any rate, Q 2 was probably

printed from Shakespeare's foul papers and bears on its title page the legend, "Newly corrected, augmented, and amended."

Discussion of the struggle of Shakespeare's fellows against the so-called "pirates" may well be interrupted by a pause for some necessary reiteration. The Stationers' Company of London had definite rules, regulations, and customs which its members followed. The Stationers' Company was normally subject to outside authority only in the matter of licensing. In the period under discussion, the officers of this guild did not demand of a stationer where he had obtained his copy, whether the author objected to the publication, or whether anyone who also happened to have a transcript of the same work objected to the publication. From the point of view of the Stationers' Company, a play was but copy, and the only copyright recognized was stationer's copyright. Now it has been seen that it was possible for one of great powers in the government to break through the ordinances of this guild and impose his will upon it. In 1598, Shakespeare's company, by invoking the power of the Lord Chamberlain, was able to have precedent swept aside and a specific authority for the licensing of a play named in the conditional entry of *The Merchant of Venice*. The officers of the guild knew that the entry in itself violated precedent. They must have known further that the Lord Chamberlain's consent was to be merely nominal, that the authority for printing was actually to come from the acting company. Precedent, therefore, was also being violated in that the right to print was to be subject to authority other than the guild's and the licenser's—subject, in fact, to the authority of a group of actors who wished to deprive the stationers of rights sanctioned by long usage, rights which had contributed to their economic well-being. Nevertheless, if Roberts were given a warrant procured from the Lord Chamberlain that *The Merchant of Venice* was not to be printed without the latter's consent, the Wardens were literally compelled to employ the kind of entry that was made.

It must be recognized that no incorporated body is overanxious to grant to individuals outside that body special privileges which are contrary to precedent, are inimical to the best interests of the individual members of that body, and really represent an infringement on the autonomy and rights of that body. Therefore, the officers of the stationers' guild would grant such privileges only when they were forced to do so by fear of reprisal if they did not

so do. In the case of *The Merchant of Venice* entry, it has been shown that the special privilege granted to Shakespeare's company of having its consent asked before a play in its repertory was printed was clothed in an entry which was normal except that it named a specific authority. In other words, I am indicating that the special privilege awarded to the Lord Chamberlain's men in 1598 was made to fit as much as possible into the normal procedure of entering copy. Now I stress this because I think it is extremely important. The only way in which the Lord Chamberlain's men were allowed to interfere in the Stationers' Company was, paradoxically, by employing the procedure which the stationer utilized in order to protect his rights in a play, this procedure being the act of entrance. The acting company, in order to prevent the printing of certain plays, was forced to make use of a cat's-paw stationer who would enter plays on its behalf and so establish stationer's copyright. Apparently no mere decree that certain plays were not to be printed was deemed sufficient, and no decree that *any* play in the Lord Chamberlain's men's repertory had to be "allowed" by the Lord Chamberlain's men before it could be printed was at this time attempted. (Later discussion will show whether a decree of this kind made in 1619 was obeyed.) Shakespeare's company was forced to have any play which it did not want to be stolen entered in the Register proper by a friendly stationer or by a stationer to whom it had sold the play.

As for the stationers at large, it would seem that they had no other recourse than not to publish plays which had been entered. Certainly they would resent the establishment of a copyright which did not look forward to publishing. The stationers could have no quarrel with Roberts for entering a play; yet if they realized that Roberts did not intend to publish the play immediately, if at all, but was merely entering the play on the behalf of a theatrical company to keep other stationers from publishing it, they would naturally regard the action of the acting company as a restraint upon business and as a trick to keep a book that would bring profit to printer, publisher, and bookseller from coming into being. Furthermore, they would regard the entrance which the friendly stationer had made with a somewhat prejudiced eye. They would not think of it as a real entrance, one which had been made in order to promote in legal fashion the interests of a mem-

ber of the Stationers' Company; they would think of it as an entrance made to promote the interests of a body foreign to their guild. On a priori grounds one could assume that they might try to evade the fact of entrance or even disregard it. I believe I can show later that the officers of the Stationer's Company, though they allowed these so-called blocking entries to be made and though they in other ways seemingly tried to impose restrictions on their stationers at the behest of the Lord Chamberlain's men, in reality were not only sympathetic to those stationers who resented the acting company's interference but actually aided these stationers in every manner possible.

On November 17, 1599, William Aspley entered *A Warning for Fair Women* (III, p. 151). It was published in the same year, its title page attributing it to the Chamberlain's men. Its text shows no signs of playhouse origin. How or where Aspley obtained his copy is unknown. One must not assume that he purchased it from the players.

Sometime in 1600 Millington brought out new editions of the maimed and deformed *II* and *III Henry VI*. On April 8, 1600 (III, p. 159), William Holme entered Jonson's *Every Man out of His Humour*. He published it the same year. Jonson himself provided the publisher with the MS, and the play was presumably published with the consent of the Chamberlain's men.

In the spring of the same year, the Lord Chamberlain's men again employed Roberts in their fight against the stationers who printed their plays without buying the players' manuscripts from them and without their consent. The two entries following are found in the Register—

May 27, 1600 (III, p. 161):

master Robertes. Entred for his copy vnder the handes of the wardens A morall of Clothe breches and veluet hose, As yt is Acted by my lord Chamberlens servantes. Provided that he is not to putt it in prynte Without further and better Aucthority. vjd

May 29, 1600 (III, p. 161):

master Robertes. Entred for his copie vnder the handes of the wardens. the Allarum to London, Provided that yt be not printed without further Aucthoritie. vjd

Furthermore, as again has already been seen, on the recto of the second of the leaves at the beginning of Register C is:

my lord chamberlens menns plaies Entred  
viz

27 may 1600  
To master  
Robertes

A moral of clothe breches and velvet hose.

27 may  
To hym

Allarum to London.

Since the Clerk was accustomed to check back and make notations in the margins of entries previously made, what the Clerk wrote first was:

my lord chamberlens menns plaies Entred  
viz

A moral of clothe breches and velvet hose.  
Allarum to London.

Now I do not think that this entry means that these two plays were "to be stayed," not entered without the acting company's consent. I think that this entry means exactly and literally what it says, that two of the Lord Chamberlain's men's plays were entered. Just as an exception to normal procedure had been made in the case of *The Merchant of Venice* entrance, so I believe that an unusual procedure was followed when Shakespeare's fellows informed the Wardens of the Stationers' Company that they did not want either *Clothe breches and velvet hose* or *Allarum to London* to be printed without their consent. Although it is not known whether they were provided with a caveat from the Lord Chamberlain, it is possible that they were. At any rate, I propose the theory that the Wardens ordered the Clerk to make a notation to the effect that the two plays had been entered. If they were already entered, then no stationer could enter or publish them, but the Wardens must have made perfectly clear to the Lord Chamberlain's men that this was merely a temporary maneuver, that the latter would have to do what they did in 1598, find a friendly stationer to enter the plays and so establish copyright. Therefore, on May 27 and May 29, Roberts entered the two plays. Again in each entry the provision was added, "provided he get further authority." This provision may merely mean that Roberts had not wasted money licensing plays which he never intended to publish, or the provision may mean that the copies which



Roberts brought to the Clerk bore notations that the play was not to be printed without the consent of the King's men. The Clerk would translate this into "provided he get further authority."<sup>119</sup> At any rate, after Roberts had entered the plays in the Register, the Clerk turned to the second leaf of Register C and made appropriate marginal notations against the titles of the upper note.<sup>121</sup>

Now there cannot be a legitimate doubt that Roberts' entries of May 27 and 29, 1600, were devices to keep from publication two plays which the Lord Chamberlain's men did not want to be published without their consent. One may recall that Roberts' entry of *The Merchant of Venice* did not lead to anything like immediate publication. His two entries of May, 1600, were not preludes to publication. *A moral of clothe breches and velvet hose* was never, so far as is known, printed. *A Larum to London* was published two years later in 1602, "Printed for William Ferbrand." The printer was Edward Allde, whose device appears on the title page (McKerrow, No. 284). The question is: Was Ferbrand's edition issued with the consent of the Lord Chamberlain's men?

The text of Ferbrand's *A Larum* is undoubtedly good but, as I have tried to show, it exhibits no signs of having been used in the playhouse. It may have been a transcript based on the author's papers. If one does assume that Ferbrand's copy came from the playhouse, one must also assume that Roberts had assigned the copyright of *A Larum* to Ferbrand, just as he assigned the copyright of *The Merchant of Venice* to Heyes two years after he had entered the play. Against this hypothesis are two pieces of negative evidence: (a) There is no record of an assignment in the Registers. (b) In both instances in which Roberts' blocking entries were followed by publication of texts which Roberts must have procured from the playhouse—in the case, that is, of both *The Merchant* and *Hamlet*—Roberts apparently reserved the right to print. Now although it is known that Roberts could assign the copyright to Ferbrand without having an entrance made in the Register, the fact that Allde and not Roberts printed Ferbrand's edition is a barrier to the assignment hypothesis not easily to be disregarded. Thus there is at least a possibility that Ferbrand's 1602 edition of *A Larum* was published in spite of Roberts' entry of 1600 and without the consent of the Lord Chamberlain's men. If *A Larum* was so published in 1602, it is entirely probable that Ferbrand knew that Roberts had entered

the play two years before. Moreover, if the play was published in 1602 without the consent of the players, an important conclusion would emerge: that neither the Stationers' Company nor the Lord Chamberlain's men could keep it from appearing. Had they wanted to do so, the latter would have to act through an assertion of copyright on the part of Roberts, but his case would not have been impressive if it developed that his entry two years before was not for his own protection as a member of the guild of stationers but for the sake of an acting company; and, further, if it were shown that he had never intended his entrance to lead to publication. Ordinarily, the Stationers' Company took strong measures against infringement of copyright, but there is no evidence that action was taken against Ferbrand. However, I think I had better leave the region of speculation and merely assert once more that it is possible that the Lord Chamberlain's men's attempt to stop the publication of *A Larum to London* was unsuccessful.

Sometime before August 4, 1600, the Lord Chamberlain's men again feared the printing of some of their plays without their permission and profit, and perhaps in maimed and deformed versions. On that day they demanded that the Wardens of the Stationers' Company not allow Shakespeare's *Henry V*, *As You Like It*, *Much Ado About Nothing*, or Jonson's *Every Man in His Humour* to be entered without the actors' consent. The citation of four plays seems to me to indicate either that the acting company did not know which one of the four was about to be stolen or that it feared surreptitious publication of more than one text. I do not think, however, that Shakespeare's company actually believed that four of its plays were about to appear surreptitiously, at one time. Furthermore, I should again like to observe that the acting company was not allowed to have *all* its plays stayed, that is, not entered without its consent. The Wardens, probably because of the power of the Lord Chamberlain, were (at least on the surface) ready to follow the demands of Shakespeare's company in restraining their stationers from publishing certain specific plays. Either the acting company never asked to have all its plays stayed; or if it did ask, its request was refused.<sup>122</sup>

After the request of the acting company that these four plays not be entered without its consent, the Wardens directed the Clerk to make a notation that these plays were "to be staied." He did

so, below the entry he had made a few months before, on the recto of the second blank page at the beginning of Register C:

4. Augusti

As you like yt. a booke	}	to be staied
Henry the fift. a booke		
Euery man in his humour. a booke		
The commedie of muche A doo about nothing. a booke		

This entry simply means that none of these four plays is to be entered without the Lord Chamberlain's men's consent, but it must have been made clear to the acting company that this mere notice would not suffice and that they must have the plays regularly entered in order to prevent stealing. Accordingly, the Lord Chamberlain's men sold the publishing rights of *Every Man in His Humour* within ten days of the above entry, and the publishing rights of *Much Ado About Nothing* within three weeks of the above entry. In the Register on August 14 (III, p. 169), is:

Master Burby Walter Burre. Entred for yeir copie vnder the handes of master Pasvill and ye Wardens. a booke called Euery man in his humour. vjd

And on August 23 (III, p. 170):

Andrewe Wyse William Aspley. Entred for their copies vnder the handes of the wardens Two bookes. the one called Muche a Doo about nothinge. Thother the second parte of the history of kinge Henry the IIIIth with the humours of Sir John Ffallstaff: Wrytten by master Shakespere. xijd

The first quarto of *Every Man In*, "Imprinted at London for Walter Burre. . . . 1601," is, of course, a good quarto. Jonson himself supervised the printing. Wise and Aspley's Q 1 of *Much Ado* (1600) was printed from Shakespeare's own papers, as was their 1600 edition of *II Henry IV*. It has just been shown that Shakespeare's fellows were apprehensive concerning an unauthorized printing of *Much Ado*. One can guess (but only guess) that the actors sold *II Henry IV* to Wise and Aspley at the same time they sold *Much Ado* because they feared surreptitious publication of the former play as well as of the latter.

The Lord Chamberlain's men feared the stealing of certain of their plays. They had the officers of the Stationers' Company

record in the Register the notice that four plays were not to be entered without the acting company's consent. The Clerk made the staying entry on August 4. On August 14, Burby and Burre entered one of these four plays, *Every Man in His Humour*. On August 23, Aspley and Wise entered another one of the four plays, *Much Ado About Nothing*. The players, in other words, were forestalling surreptitious publication by selling the plays to the stationers.

The Lord Chamberlain's men had also declared that *Henry V* was not to be entered without their consent. The imprint of Q 1 of the maimed and deformed text of *Henry V* reads: "Printed by Thomas Creede, for Tho. Millington, and Iohn Busby . . . 1600." But when was the quarto printed? On August 4, when the Lord Chamberlain's men ordered *Henry V* not to be entered without their consent, one must assume that they did not know that the quarto had been printed. Now whether or not one agrees that on August 4 the quarto was already in the press, one must conclude that it had not yet appeared in the bookstalls. Creede could claim the publishing rights of Shakespeare's *Henry V* by reason of his possession of the copyright of the *Famous Victories*. Hence he normally would have proceeded to the printing of Shakespeare's play without feeling at all required to enter it. On August 4, his right to print the later play was challenged. What was the easiest way to prove his ownership of the copyright? To argue that his copyright in Shakespeare's play derived from his copyright in the source play apparently did not appeal to Creede. A much more simple method would be to prove that copyright in Shakespeare's play had been established by a printing of the play *before* August 4. How could this be done? It could not be done by having Creede, Busby, or Millington enter the play in a regular entrance after August 4. This would not only weaken Creede's case that his copyright descended from the *Famous Victories* but would also appear to be an act in direct defiance of the order of August 4. The double requirement of establishing copyright both on the ground of publication before August 4 and on the ground of entrance could only be done by assigning the copyright to another stationer. Accordingly, on August 14, the following entrance (III, p. 169) was made:

Thomas Pavyer. Entred for his Copyes by Direction of master

white warden vnder his hand wrytinge. These Copyes followinge beinge thinges formerlye printed and sett over to the sayd Thomas Pavyer.

viz

The Pathway to knowledge. vjd

The historye of Henry the Vth with the battell of Agencourt. vjd  
[and 10 other copies]

This entrance established the fact that *Henry V* had already been printed, and the adverb "formerlye" indicates surely a greater passage of time than ten days. Hence according to the Register, its publishers must have established copyright before August 4. But furthermore, since an assignment was allowed, the Stationers' Company recognized that the stationer or stationers who owned copyright in *Henry V* had sold this copyright to Pavier—in other words, ownership of copyright by the assigner receives recognition in the Register. It seems to me clear, therefore, that the Stationers' Company through its officer, Junior Warden Edward White, enabled Creede, Busby, and Millington to defeat the will of Shakespeare's fellows. The Stationers' Company recognized their copyright and pledged itself to the truth of the statement that the quarto, establishing copyright, had been printed before the staying order of the players. That the assignment of August 14 *was* successful in establishing the copyright of the bad quarto is proved by Pavier's editions of 1602 and 1619.

Certainly Junior Warden Edward White knew what he was doing when he allowed the assignment of *Henry V* to Pavier on August 14, for the first entry on that day was *Every Man in His Humour*. Since this was one of the plays which had been stayed, it could not have been entered under the hands of the Wardens without their knowing that it was entered with the consent of the Lord Chamberlain's men. In the next entry but one, Warden White allowed the assignment of *Henry V* to Pavier. The first entry that day would recall the staying entry of August 4. So would the third entry. Yet White himself enabled Creede and his fellows to escape its purport.

There can be no doubt that Shakespeare's company was furious when it came upon the stolen and surreptitious, maimed and deformed quarto of *Henry V* after it had ordered the Stationers' Company to stay the play. If the actors complained, the officers

of the stationers' guild could disclaim responsibility, declaring that Creede had acted upon the copyright which he traced from the source play; that if *Q 1* had been printed before August 4, its publishers had already established copyright by that date; that the Wardens could not "stay" an assignment of a copyright; that Pavier now possessed the copyright by right of formal entrance. However angry the players might be, the entrance of August 14 meant that the Stationers' Company was on record as stating that the Lord Chamberlain's men could not stop the publication of the corrupt version of *Henry V*.

It may be that the stationers' defeat of the players in the matter of *Henry V* prompted the latter to sell *II Henry IV* to the press because they feared surreptitious publication of this companion play too. Perhaps, too, the corrupt *Henry V* having appeared, and the players now knowing which one of the four plays stayed on August 4 had been stolen, they would no longer think it necessary to sell *As You Like It* to a stationer in order to avoid the surreptitious printing of this play. *As You Like It* first appeared in the 1623 folio. The Stationers' Company in 1600, therefore, if my interpretation be correct, aided its members in their attempt to nullify the means whereby the Lord Chamberlain's men tried to protect their property.

On October 8, 1600 (III, p. 174), Thomas Fisher entered *A Midsummer Night's Dream* and published it the same year. Whether or not this was a surreptitious publication of one of Shakespeare's plays is not known.

In the year 1602, Wise brought out a new edition of the bad *Richard III*, and Pavier a new edition of the bad *Henry V*. In the year 1602 also appeared *A Larum to London*, the printing of which the Chamberlain's men had taken steps to prevent in 1600. That the 1602 printing of *A Larum to London* was authorized by the players is, as I have suggested, not at all clearly indicated. The same year, too, saw the publication of *Thomas Lord Cromwell*, attributed to the Chamberlain's men and with "W.S." on its title page. This play certainly was not by Shakespeare, and it may not even have belonged to Shakespeare's company. The copy for *Satiromastix*, also published this year and attributed on its title page to the Chamberlain's men and the children of Paul's, came, as has been seen, from the latter acting company.

Sometime after January 18, 1602, the date of entrance (III,

p. 199), a horribly mangled *Merry Wives of Windsor* appeared, printed by Thomas Creede for Arthur Johnson. That this was a stolen and deformed publication there can be no doubt. That it infuriated the Chamberlain's men there can be no doubt. That they were angry at the stationers and their guild when this bad quarto appeared in spite of their previous strong attempts to stop surreptitious publication of their plays—of this also there can be no doubt. On the other hand, that there is anything suspicious in the entrance of the play by Busby and its immediate assignment to Arthur Johnson is an unfounded inference.

In 1602 the players took steps to prevent the surreptitious publication of *Hamlet*. On July 26 (III, p. 212), this entry was made in the Stationers' Register:

James Robertes. Entred for his Copie vnder the handes of master Pasfeild and master waterson warden A booke called the Revenge of Hamlett Prince Denmarke as yt was latelie Acted by the Lord Chamberleyne his servantes. vjd

Early the next year the players apprehended the stealing of *Troilus and Cressida*. On February 7, 1603 (III, p. 226), the friendly stationer entered the play:

master Robertes. Entred for his copie in full Court holden this day to print when he hath gotten sufficient auctorithy for yt, The booke of Troilus and Cresseda as yt is acted by my lord Chamberlens Men. vjd

Roberts never published the play; the above entry was a blocking entry to render it impossible for other stationers to publish it. The sequel to this entry occurs six years later. A return to *Hamlet* is now appropriate.

Since Roberts did not publish a quarto of *Hamlet* in 1602, since he did not publish a quarto of *Hamlet* in 1603, it may be surmised that the entrance of July 26, 1602, was not preparatory to publication. Roberts, the friendly stationer, had made a blocking entry to safeguard *Hamlet* from the "pirates."<sup>118</sup> Nevertheless, sometime in 1603, a bad shock was given to Shakespeare and his colleagues. A fearfully corrupt bad quarto of *Hamlet* was published: "At London printed for N. L. and Iohn Trundell. 1603."

The fact that Ling and Trundle brought out the bad quarto despite the entrance by Roberts can mean only one of two things: (a) Ling and Trundle did not know of Roberts' entry, although it was a matter of vital concern to a stationer to know whether or

not copyright had already been established in the copy he intended to publish. Furthermore, when one realizes that no less than four plays (*Hamlet*, *Pericles*, *Troilus and Cressida*, and *A King and No King*) were, as will be proved, published without the players' consent<sup>114</sup> after the latter had had blocking entries made to keep them from being published, it is stretching credulity too far to assume that *Hamlet* and these three other plays were published as a result of their publishers' carelessness in not knowing of entrances made for the sole purpose of keeping these plays from appearing in print. (b) Ling and Trundle knew of Roberts' entry—this second hypothesis is the one upon which I shall proceed.

It was not the habit of Elizabethan stationers openly to deprive another stationer of the rights set up by entrance. But if stationer A thought that stationer B had merely set up a dummy copyright—one which would keep stationer A from publishing the copy in spite of the fact that it appeared that stationer B never expected to make his copyright take form and substance by actually publishing—in such a case, stationer A would not consider that he was actually violating copyright when he published the copy which stationer B had entered. It had already been made obvious that Roberts was merely a stalking-horse for the Chamberlain's men. Ling and Trundle must have considered that in publishing the first edition of *Hamlet* they were not stealing copyright from a fellow stationer but were acting justifiably in opposition to the interference of a foreign group in the affairs of the stationers.

There is no evidence that Ling and Trundle had trouble with their guild because they printed *Hamlet* in violation of Roberts' entrance two years before. There is no record of a fine. There is no record that Roberts brought the matter to the attention of the Court of Assistants. Since normally violation of copyright was a very culpable offense, it is possible to assume that the Stationers' Company condoned Ling and Trundle's act. At any rate, there is no doubt that they held the advantage, that their Q 1 of *Hamlet* had established a copyright in the play in spite of Roberts' previous entry. In the next year appeared a good quarto of *Hamlet*, "Newly imprinted and enlarged to almost as much againe as it was, according to the true and perfect Coppie . . . At London, Printed by I.R. for N.L. . . . 1604." Ling must have purchased



his partner's share in the copyright. In 1607, Ling sold the play to Smethwicke (III, p. 365), who brought out Q 3 in 1611; Q 4 [n.d.]; and Q 5, 1637.

How does one explain the fact that Roberts was the printer of Q 2? It seems to me that a simple explanation may be the best. Shakespeare's company, appalled by the maimed and deformed version of the play which Q 1 presented,<sup>115</sup> determined to furnish the publisher who owned the copyright of *Hamlet* with a good version (perhaps because Ling was about to issue a new edition of the bad quarto) just as Sir Thomas Browne did in the case of *Religio Medici*, just as Shakespeare's company was to do twenty years later in the case of *Philaster*. Their agent was the friendly stationer, Roberts, who required of Ling that in return for his furnishing a good version of *Hamlet*, the latter was to give him the job of printing it.

On the other hand, a much more simple explanation than the above may be nearer the truth. Roberts printed a great many books before 1604 for Ling, and he also printed books for him after 1604.<sup>116</sup> Roberts, it could be truthfully said, was Ling's favorite printer. What deep mystery, hence, lies in his printing a play text in 1604-5 for Ling?

I am aware that the above interpretations may appear to be selected, that they seem but two of many possible hypotheses. Since arbitration was the usual method whereby disputes over copyright were settled among the stationers, it might be held that Roberts and Ling compounded their differences as to who owned the copyright of *Hamlet* by an agreement whereby Roberts sold to Ling his rights together with a good version, and retained the right to print. I am not ready to entertain this solution simply because I do not believe that Roberts possessed any rights in *Hamlet* after the publishing of Q 1, any rights, that is, which the Stationers' Company would recognize. It will be seen that Gosson was able to establish complete copyright in *Pericles* in spite of Blount's blocking entry, that Bonion and Walley were able to establish complete copyright in *Troilus and Cressida* in spite of Roberts' blocking entry, and that Walkley was able to establish complete copyright in *A King and No King* in spite of Blount's blocking entry. In these cases, according to the evidence of the Registers and imprints, the Stationers' Company recognized as

the owner of copyright not the maker of the blocking entry but the publisher of the surreptitious text. If analogy means anything, it would seem clear that after the publication of Q 1 of *Hamlet*, Ling owned the copyright of the play.

A fourth hypothesis in regard to Roberts' printing of Q 2 of *Hamlet* might be that Roberts sold the MS, which he had held after his entry, to Ling and retained printing rights. But is not all the evidence against a belief that Roberts ever really kept the MS? And if it was the actors who were anxious to have a good text given to the public, is it reasonable to suppose that Ling, who already owned copyright, would pay for the good text?<sup>117</sup>

The players tried to render the publication of a bad quarto of *Hamlet* impossible. They had their friendly stationer, Roberts, make a blocking entry in July, 1602. A bad quarto of *Hamlet* appeared in 1603. The players were routed—just as they had been routed in their attempt to stay *Henry V*. Furthermore, in order to keep Ling from republishing the bad quarto or in order to have the true text of the play presented to the reading public, the players had to give the manuscript of the good quarto to the very stationer who had established copyright in the play by means of a bad quarto. The King's men were forced to benefit the same individual who had wronged them. Moreover, the King's men had acted according to the laws of the Stationers' Company, and Ling and Trundle had not. It is, perhaps, no wonder that Shakespeare and his fellows did not attempt a blocking entry in the years 1603, 1604, 1605, 1606, and 1607.

In 1604, *The Malcontent* was published. This drama belonged to the repertory of the King's men, but it has been seen that the copy for Q 1 did not come from Shakespeare's fellows.

In 1605, Q 4 of the bad *Richard III* appeared; its publisher, Law, had acquired the copyright from Wise. In this year, too, appeared the bad quarto of *The Fair Maid of Bristow*, attributed to the King's men in Pavier's entrance but not on his title page. If the play did belong to them, it represents another defeat administered to them by the stationers. The title page of Pavier's *I Jeronimo* (1605) does not name a company; his text did not come from King's but in some way from the Queen's Revels. The title page of Nathaniel Butter's *The London Prodigal* (1605) attributes the play to William Shakespeare and the King's men. Since the ascription to this company would naturally follow the

ascription to this dramatist, and since the play cannot possibly be by Shakespeare, it is highly doubtful that *The London Prodigal* really did belong to the King's men. In 1605, also, Jonson's *Sejanus* was printed under the author's own supervision.

Four King's men's plays were published in 1607: *The Miseries of Enforced Marriage*, *The Devil's Charter*, *The Revenger's Tragedy*, and *Volpone*. The first three show no signs of having come from the playhouse. Whether they were published with the cognizance or consent of Shakespeare's company is not now known. *Volpone*, as usual, was printed under Jonson's guidance.

The corrupt character of *The Merry Devil of Edmonton*, which Arthur Johnson entered on October 22, 1607 (III, p. 362) and published the next year, tends to negate the hypothesis that he published with the consent of His Majesty's players. Pavier entered *A Yorkshire Tragedy* as by William Shakespeare on May 2, 1608 (III, p. 377), and published it that year as by Shakespeare and as having been acted by the King's men. It is almost certain that he did not obtain his copy from Shakespeare's fellows.

The years 1608 and 1609 were eventful in the history I am recording. On November 26, 1607 (III, p. 366), Busby and Butter entered *King Lear* under the hand of Buc, Master of the Revels. This text, which appeared some time in 1608, was extremely corrupt—a noble edifice disfigured and pitted over its entire surface. Butter's *King Lear*, in short, was a bad quarto. The MS for it had been licensed by Sir George Buc, the first of Shakespeare's plays to be licensed by him for the press. A legitimate inference may be made. The Master of the Revels was uninterested in the provenance of the play MSS brought to him for perusal before printing. There is no evidence that the players ever asked Buc's aid in their fight with the "pirates."

In 1608, Law, who now owned the copyright of *Richard II*, published this play with a bad version of the so-called "Parliament Scene." He could not have received this version from the players.

Since *King Lear* was entered on November 26, 1607, it probably was published early in the following year. At any rate, something must have put the players on their guard. They were afraid that more of their plays would be stolen. They once more had recourse to a friendly stationer and the blocking entry. They now employed Edward Blount. Roberts was no more in active business.<sup>118</sup>

On May 20, 1608 (III, p. 378), Edward Blount made two entries:

Edward Blount. Entred for his copie vnder thandes of Sir George Buck knight and Master Warden Seton A booke called. The booke of Pericles prynce of Tyre. vjd

Edward Blunt. Entred also for his copie by the lyke Authoritie. A booke Called. Anthony and Cleopatra. vjd

There is sufficient evidence that these were blocking entries to keep other stationers from publishing. Greg is undoubtedly correct in holding that "A booke called. The booke of Pericles" means that the official theatre "booke" was brought to the Hall by Blount.<sup>119</sup> Certainly the players would not give the official promptbook to a stationer to be used as copy unless it were to be returned quickly after printing. Since Blount did not publish *Pericles* in 1608, one can not assume that he retained the promptbook for at least six or seven months after his entrance. He must have returned it to the players soon after employing it for his blocking entry. Incidentally, since *Pericles* and *Antony and Cleopatra* were licensed for printing by the Master of the Revels, and since not Blount but the players must have paid for these licenses, such payment represents further evidence of the players' real objection to the printing of their plays. Blount, therefore, brought to the Hall two MSS which had been given him by the King's men. He made these entrances to keep other stationers from publishing; he never intended publication himself. *Antony and Cleopatra* was not published until 1623, in the First Folio.<sup>120</sup> *Pericles* was published in 1609, but not by Blount.

Once more a stationer refused to be daunted by the players' device of the blocking entry: the friendly stationer's unfulfilled copyright. In 1609 appeared a corrupt version of *Pericles*, "Imprinted at London for Henry Gosson." There is no record of Gosson's having trouble with the Stationers' Company for infringing on Blount's copyright by right of entrance. That neither the King's men nor Blount were able to keep Gosson from publishing his bad quarto of *Pericles* is proved by the fact that Gosson brought out a second edition in the same year. The appearance of Q2 of *Pericles* also indicates what I have written above, that the Stationers' Company was not opposed to Gosson's putting out the play (in whatever form) in spite of Blount's entry of the year

before. Q 3 of *Pericles* appeared in 1611, "Printed at London by S. S. 1611," the initials standing for Simon Stafford. Some business arrangement between Gosson and Stafford must be assumed.<sup>121</sup>

In 1609 not only were the players defeated in the matter of *Pericles*; they were also defeated even more spectacularly in the case of another of Shakespeare's plays which they had attempted to keep from being "pirated," and defeated with the consent and approbation of the Stationers' Company.

On February 7, 1603 (III, p. 226), it will be recalled, the following entry was made in the Stationers' Register:

master Robertes. Entred for his copie in full Court holden this day to print when he hath gotten sufficient authority for yt, The booke of Troilus and Cresseda as yt is acted by my lord Chamberlens Men. vjd

Since Roberts never printed an edition of the play, since the entry resembles the blocking entries of *The Merchant of Venice*, *A Larum to London*, and *A Moral of Cloth Breeches and Velvet Hose* in that it is conditional, and since like the blocking entry for *Hamlet* it named the company that produced the play, one may safely assume that this entry too was designed to prevent stationers from publishing the play. In 1609 Roberts had probably retired from active business, but this does not at all mean that he was no longer able to possess copyrights; as late as 1615 some of his copyrights were assigned to his successor, Jaggard.<sup>122</sup>

On January 28, 1609 (III, p. 400), however, the following entry was made:

Richard Bonion Henry Walleys. Entred for their Copy vnder thandes of Master Segar deputy to Sir George Bucke and master warden Lownes a booke called the history of Troylus and Cressida. vjd

Bonion and Walley's good quarto came out in the year of entrance. At first the title page read "As it was acted by the Kings Maiesties seruants at the Globe. Written by William Shakespeare," but this title page was later cut away and a half sheet added; the notice of production was omitted from the new title page, and a wholly new preface announced that the play had never been "stal'd with the Stage" or "sullied, with the smoaky breath of the multitude." Furthermore, the reader is told to

thanke fortune for the scape it hath made amongst you. Since by the grand possessors wills I beleeeve you should haue prayd for them rather than beene prayd.

Now it seems to me wrong to claim that Roberts' 1603 blocking entry of *Troilus* had been forgotten by the Clerk. The Clerk was paid not to forget, not to enter books which had already been entered. Certainly the declaration of the 1609 preface that the play was printed without the acting company's consent and in the knowledge that the acting company did not want the play printed argues that Bonion and Walley must have been aware of the blocking entry which could supply this information. To hold that Bonion and Walley knew of the entry but that Warden Lownes and the Clerk did not seems to me an impossible double hypothesis.

What I am indicating is that the Stationers' Company took the side of its stationers as against the restraints of the King's men when it allowed Bonion and Walley to re-enter the play. Certainly the Stationers' Company sustained the publishers' copyright, for whereas on other occasions when a book had inadvertently been entered twice, the second entry was crossed out,<sup>123</sup> on this occasion the second entry was not crossed out. Since no one can hold that the players were apathetic about the printing of *Troilus* (witness the preface), one must hold that Bonion and Walley's copyright was also sustained by officers of the guild who were aware of the objections of the acting company. As a matter of fact, the audacity of the preface (which, it should be remarked, was *added*) convinces me that Bonion and Walley knew that they were safe in publishing *Troilus*, that the Stationers' Company would protect them from any interference by the King's men. Had the Stationers' guild punished Ling or Gosson for publishing despite blocking entries? Had it not enabled Millington, Busby, Creede, and Pavier to circumvent the staying entry of August 4, 1600?

Jonson's *Catiline* was printed in 1611, and his *Alchemist* in 1612.

Notwithstanding the sad experience of 1609, the King's men again employed Blount in 1612 to make two blocking entries. (Perhaps the reappearance in a new edition of the ragged *Pericles* in 1611 had prompted them.) The Stationers' Register for February 15, 1612 (III, p. 478) has these concurrent entrances:

Edward Blunte. Entred for his Copy vnder th'andes of Sir George Buc and Th'wardens, a play booke beinge a tragecomedye called, The Noble man written by Cyrill Tournour. vjd

Edward Blunte. Entred for his Copy vnder thandes of Sir George Buc and Thwardens A tragedye called, The Twynnes tragedye, written by Niccolls. vjd

*The Nobleman* was presented by the King's men at court on February 23, 1612, and again sometime the following winter.<sup>124</sup>

*The Twines Tragedy* was given by the same company at court on January 1, 1612.<sup>125</sup> There is no evidence that Blount ever expected to print the plays. *The Nobleman* is in the list of the unprinted King's men's plays which the Lord Chamberlain delivered to the Stationers' Company in 1641;<sup>126</sup> it was re-entered by Moseley in 1653 (Eyre, I, p. 429). No copy of *The Twines Tragedy* is known. It may be pointed out how soon after production at court (first production?) the two blocking entries were made.

Peace apparently reigned between Shakespeare's fellows and the stationers in the period 1612 to 1618. The friendly stationer was not employed by the actors. No bad quartos appeared; no surreptitious good texts.

On August 7, 1618 (III, p. 631), the King's men made their last use of the device of the blocking entry. It will be evident why it was their last attempt to utilize this method of stopping surreptitious publication of plays in the repertory.

Master Blounte. Entred for his Copie vnder the handes of Sir George Bucke and Master Adames warden A play Called A king and noe kinge. vjd

The MS which Blount brought for registration would appear to be the identical MS which Buc had licensed both for playing and printing in 1611. The following item appears in a breuiat relating to the legal action of Sir Henry Herbert against Sir William Davenant:

Kinge and noe Kinge, to be Acted in 1611, and the same to be printed, Allowed by Sir George Bucke. . . .<sup>127</sup>

Since Blount did not publish the play in 1618 or in 1619, I assume that the company had Blount make the entry in order to prevent a printing without their permission or profit. But just as the blocking entries of *Hamlet*, *Troilus and Cressida*, and *Pericles* were successfully defied by stationers who not only printed the plays but established copyright in them, so Blount's entry of 1618 did not deter Thomas Walkley from publishing the play (in a good text) the next year: "A King and no King. Acted at the

Globe, by his Maiesties Seruants. Written by Francis Beamount, and Iohn Flecher. At London Printed for Thomas Walkley . . . 1619."

There is no assignment by Blount to Walkley in the Registers. Since, as a matter of fact, it can be proved that Walkley's copy did not come from the players, it must follow that Blount did not make an unregistered assignment. Q 1 has the following epistle:

To the Right Worshipfull and Worthie Knight, Sir Henric Nevill. Worthy Sir, I Present, or rather returne unto your view, that which formerly hath beene received from you, hereby effecting what you did desire: To commend the worke in my unlearned method, were rather to detract from it, then to give it any luster. It sufficeth it hath your Worships approbation and patronage, to the commendation of the Authors, and incouragement of their further labours: and thus wholly committing my selfe and it to your Worships dispose I rest, ever readie to doe you service, not onely in the like, but in what I may.

Thomas Walkley.<sup>128</sup>

I do not see how anyone can disagree with Bond's conclusion that the epistle states "that the MS. had been furnished by Sir Henry."<sup>129</sup> Not only does Walkley's statement indicate that Blount had not sold the copy with the copyright to Walkley, it also indicates that the latter had not bought the copy from the players but had been given it by a friendly nobleman.

Walkley, therefore, in 1619 printed another play of the King's men for which a blocking entry had been made in order to prevent such unauthorized publication. I have already indicated how I regard the hypothesis which explains the printing of plays in spite of blocking entries on the grounds that the sinning stationer did not know he was sinning, that is, did not know that the plays had been entered by another stationer. Walkley—together with Ling, Trundle, Bonion, Walley, and Gosson—must have known that the friendly stationer was really not losing anything, inasmuch as the latter had never expected to publish. Walkley, with the others, must have known beforehand that he was not taking any great risk, that his guild was on his side. It is known, at any rate, that the King's men did not prevent Walkley from printing the second edition of the play in 1625. If this were not enough to prove that he alone owned sole copyright in the play in spite of the blocking entry, his assignment of it (along with



*Othello* and *Philaster*) to Richard Hawkins on March 1, 1628 (IV, p. 194) should do so. The answer, therefore, to why the King's men did not after 1618 avail themselves of the services of a friendly stationer to make blocking entries has been already given in the course of this discussion. The blocking entry as a device to keep stationers from publishing plays without the players' consent simply did not work. The stationers, when it interfered with their plans, paid no attention to it—and the Stationers' Company appears to have supported them in this attitude.

The chief event of 1619 from the viewpoint of the battle between the players and the stationers was the printing of the so-called "1619 quartos" by William Jaggard. The King's men were forced to appeal to the Lord Chamberlain.

Today it is a universally accepted conclusion that the following nine quartos were all printed in 1619 at William Jaggard's press:

The Whole Contention . . . . Written by William Shake-speare . . . .  
Printed at London, for T. P.

A Yorkshire Tragedie . . . . Written by W. Shakespeare. Printed for  
T. P. 1619:

. . . Pericles . . . . Written by W. Shakespeare. Printed for T. P. 1619.

. . . The Mer-chant of Venice . . . . Written by W. Shakespeare. Printed  
by J. Roberts, 1600.

. . . the merry Wiues of Windsor . . . . Written by W. Shakespeare.  
Printed for Arthur Johnson, 1619.

M. William Shake-speare . . . King Lear . . . . As it was plaid . . . .  
By his Maiesties Seruants . . . . Printed for Nathaniel Butter. 1608.

. . . Henry the fift . . . . As it hath bene . . . playd by . . . the Lord  
Chamberlaine his Seruants. Printed for T. P. 1608.

. . . Sir Iohn Old-castle . . . . As it hath bene lately acted by the Right  
honorable the Earle of Notingham Lord High Admirall of England,  
his Seruants. Written by William Shakespeare. London printed for  
T. P. 1600.

A Midsommer nights dreame . . . . As it hath beene . . . acted by  
. . . the Lord Chamberlaine his seruants. Written by William Shake-  
speare. Printed by Iames Roberts, 1600.

A. W. Pollard described two volumes in which all these quartos were united and two sets which gave every evidence of once having been united.<sup>180</sup> Greg in two famous articles showed

that the quartos had all been printed from the same batch of mixed paper.<sup>131</sup> Pollard in *Shakespeare Folios and Quartos* introduced new evidence for the 1619 date based on type and printers' devices.<sup>132</sup>

In October, 1910, William J. Neidig gave the final, ineluctable proof for the 1619 date by means of micrometric measurements which established the fact that seven of the nine title pages were printed from the same setup. Neidig also determined the sequence of the printing of these title pages.<sup>133</sup> Sir Edmund Chambers sums up:

William Jaggard succeeded to the printing business of James Roberts about 1608, and by 1617 had associated in it his son, Isaac Jaggard. . . . The reprinting of 1619 was no doubt done in concert with Pavier who owned the copyright of five of the plays, and whose friendship with Jaggard may be inferred from the fact that the latter named him as overseer in his will. Presumably licence was obtained from Johnson for the use of *Merry Wives of Windsor*, and from Butter for that of *King Lear*. Of the other three, *Midsummer-Night's Dream* was probably derelict, and *Merchant of Venice* may have been believed to be so. Blount's registration of *Pericles* had already been overlooked, and there is nothing to show that Gosson had any copyright. The shortened imprints suggest that the title-pages were originally meant for half-titles in a comprehensive volume, which would naturally begin with a general and more explicit title-page. So far, there is nothing which points to any deliberate trade irregularity. On the other hand, the absence of continuous signatures after *Pericles* and the obsolete dates '1600' and '1608' seem to bear witness to departures from the original purpose. And the most plausible explanation of at least one of these departures is, I think, to be found in an intervention by the King's men. It was nothing to Pavier and Jaggard that they were reprinting bad texts and ascribing to Shakespeare plays that were not his. Perhaps Shakespeare's fellows viewed such proceedings with less equanimity. On 3 May 1619 a letter was addressed by the Lord Chamberlain to the Stationers' Company directing that none of the King's men's plays should be printed 'without some of their consents'. Its exact terms are not preserved. But they appear to be recited in a later letter of similar import written on 10 June 1637 by Philip, Earl of Pembroke, then Lord Chamberlain, and brother of William Earl of Pembroke, who was Lord Chamberlain in 1619. It had been represented to Earl Philip's brother that by the printing of plays of the King's men 'not only they themselves had much prejudice, but the books much corruption, to the injury and disgrace of the authors', and the Stationers' Company had

been advised 'to take notice thereof, and to take order for the stay of any further impression of any of the playes or interludes of his majesties servants without their consents'. It is certain that in the language of the printing trade the term 'impression' covered a reprint as well as a first publication. We do not know how far Pavier and Jaggard had gone before this bombshell fell. They may have issued all the ten plays. It is perhaps more likely that they had already abandoned the continuous signatures and perhaps the idea of a comprehensive volume, had separately issued those dated '1619', and had the rest ready in print. If so, rather than sacrifice their material, they took the rather hazardous course of altering the dates on these to agree with those of the last impressions, so that they might pass as not new at all. The explanation is not wholly satisfactory, since it would have been safer to substitute fresh title-pages more exactly agreeing in detail with the old ones. But it seems to be the best available. [Chambers adds in a footnote: Neidig thinks that the *Mer. of Ven.* t. p. was printed before that of *Merry Wives of W.*, which would throw my explanation out. Greg approves his technical argument; if it is sound, it is difficult to see why '1619' was allowed to appear on *Merry Wives of W.* unless by a sheer oversight.] It is true that *Henry V* is given the date 1608 and that the last impression now extant is of 1602. It is also true that the extant *Midsummer-Night's Dream* of 1600 does not bear the name of its printer, and that that printer is not likely to have been Roberts. It is conceivable, in both cases, that an edition, known to Jaggard, may have disappeared. But it is also possible that the '1608' for *Henry V* may be due to a failure to alter the lower part of the type, as it had stood for *King Lear*. The affair of 1619 had one other repercussion. *Merchant of Venice* was not derelict after all. Thomas Heyes had left it to his son Laurence. He was then a boy, but he now put in a claim, and *Merchant of Venice* was adjudged to him in a full court on 8 July 1619. It remains to add that no further reprints in fact appeared, before the Commonwealth put an end to the Lord Chamberlain's authority, of any of the bad or unauthentic texts, except in so far as *Pericles*, of which the history is throughout obscure, can be reckoned as one of these.

Whatever the events of 1619, they can have left no enduring malice between the King's men and the Jaggards, since it was again from their press that the collection of Shakespeare's plays known as the First Folio came, with the active co-operation of Heminge and Condell, in 1623.<sup>184</sup>

Let us examine Sir Edmund's summary:

a) Chambers' notion that Earl William's letter of May 3, 1619, was a bombshell which fell before the 1619 quartos had been completed is not substantiated by the version of the letter which Philip gave in 1637:

Whereas complaint was heretofore presented to my dear brother and predecessor, by his majesties servants, the players, that some of the company of printers and stationers had procured, published, and printed, diverse of their books of comedyes, and tragedyes, chronicle histories, and the like. . . .

The tense is past perfect. The volume of "comedies, tragedies, and chronicle histories" may already have been published when the Earl of Pembroke wrote the letter. If so, what happens to Chambers' postulated intervention by the King's men?

b) All the evidence is against the hypothesis that Jaggard at any time "abandoned . . . the idea of a comprehensive volume" and "separately issued those dated '1619.'" A. W. Pollard's conclusion is that:

. . . I hope I am not unreasonable in taking it as proved that copies of these nine quartos in their original condition were put on the market at the same time, either in a publisher's binding or as an unbound set which cried aloud to buyers to bind it up speedily into a volume.<sup>185</sup>

This conclusion holds not only on the basis of the extant volumes in which all the plays are bound together but on the fact that the total number of each of the extant 1619 quartos tends to be the same. George Watson Cole's table as published in *Shakespeare Folios and Quartos* (p. 166) is as follows:

<i>Whole Contention</i> , Part I	26
<i>Whole Contention</i> , Part II	25
<i>Midsummer Night's Dream</i>	23
<i>Sir John Oldcastle</i>	23
<i>Merchant of Venice</i>	19
<i>Henry V</i>	21
<i>King Lear</i>	23
<i>Pericles</i>	23
<i>Merry Wives of Windsor</i>	19
<i>Yorkshire Tragedy</i>	20

Pollard writes:

The first point brought out by these tables is the close approximation in the number of copies of each of these quartos, there being, in the entire series, not less than 19 nor more than 26 of any one play. In the second place the fact . . . that copies of these editions are much more frequently met with than those of other Shakespeare quartos is brought into still greater prominence. Mr. Cole's researches have been extended to the twin quartos which pair with those of 1619, and of the 'Heyes' *Merchant of Venice* he has located as many as 14 as against 19 of the 'Roberts,' but of the Fisher *Midsummer Night's Dream* only 7 as against 23; of *Sir John Oldcastle*, 2 against 23; of *King Lear*, 8 against 23, or a total of 31 extant copies as against 88. No explanation of this striking difference in rarity has yet been put forward, save that here propounded that the 'Quartos of 1619' were preserved in greater numbers by being bound together in volumes.

A more recent census<sup>136</sup> gives an even more striking approximation:

<i>Merchant of Venice</i>	31
<i>Midsummer Night's Dream</i>	30
<i>Merry Wives</i>	35
<i>Lear</i>	32
<i>Henry V</i>	39

c) Chambers' footnote indicates that his theorizing is not in line with the bibliographical evidence. Jaggard used a 1619 date *after* he had falsely dated *The Merchant of Venice*. Nor can I understand Sir Edmund's statement that "they took the rather hazardous course of altering the dates" on "the rest [of the quartos which they had] ready in print." Why, if Jaggard really was afraid, did he trouble to misdate certain quartos and yet not cancel the "1619" title pages of the quartos which he had already printed? Of whom was he afraid? And how does Chambers know that any *alteration* occurred?

A new survey of the 1619 quartos is in order. First, acquaintance with certain aspects of seventeenth-century publishing should be renewed.

Like modern book buyers, the readers of that era sometimes wanted to purchase an author's works in a set instead of in individual publications. In "The Stationer to the Reader" of *Madeleine de Scudery: The Continuation of Artamenes* (1654), Moseley reveals this preference in his customers:

I Have now publish'd the Two first Volumes of the Grand Cyrus; there are Three more to Print, which shall be dispatcht with all possible Expedition, for I purpose to be ready with One every Tearme . . . If you wave this Opportunity of buying the Books as now they are wrought off (in hopes at last to have them all together) you will be deceived; for I am perfectly resolv'd (and do now give it under my Hand) that I will not Re-print it; though I have good cause to wish I had Printed a greater Number.<sup>137</sup>

Sometimes the customer would have a bookseller put together in a single volume a single author's works, even though these had been issued by different stationers in different years. In the conference between a gentleman and an apprentice bookseller at the beginning of Rowlands' *Tis Merrie when Gossips meete* (1602), this passage occurs: "*Gentleman*. Can'st helpe mee to all *Greenes* Bookes in one Volume? But I will haue them euery one, not any wanting. *Prentice*. Sir; I haue the most part of them, but I lacke *Conny-catching*, and some halfe dozen more: but I thinke I could procure them. There be in the Towne I am sure can fit you: . . ."

Some buyers would have similar works bound together. Such is the "Burton" volume in the Folger Shakespeare Library. It contains five octavos: *The Passionate Pilgrim*, Leake, 1599; *Venus and Adonis*, Leake, 1599; *The Rape of Lucrece*, Harrison, 1600; *The Ghost of Lucrece*, Simmes, 1600; and *Emaricdulf*, Law, 1595.<sup>138</sup> There is evidence that the stationers themselves encouraged the making of such collected volumes. "All the octavo editions [for almanacs] printed by Watkins and Roberts are neat little books of the same size and shape. In some cases we find the whole set of Almanacks for the year bound together, so that a purchaser might have the united opinions of all the Almanack writers of the day . . . . The two sets at Lambeth appear to be in exactly the same state as when they left the printer's hands and have never been used."<sup>139</sup>

It was the custom in a collected works volume, printed at one time, to have individual title pages, each possessing an imprint, for the separate items. The Shakespeare First Folio is a significant exception to the practice of the time. I refer the reader to Greg's description in his *Handlist* of Jonson's *Workes* (1616), Lyly's *Six Court Comedies* (1632), Marston's *Tragedies and Comedies* (1633), Suckling's *Fragmenta Aurea* (1646), William Cartwright's *Comedies, Tragi-Comedies, With other Poems* (1651), Shirley's *Six New Playes* (1653), and Richard Brome's *Five new Playes* (1659). Sometimes the individual items have separate signatures, as in the Shirley volume just noted. The imprint on the individual title page for each item in such a volume is likely to be less full than a normal imprint. The general title page of Marston's *Workes* (1633) has "London, Printed for William Sheares, at the Harrowe in Brittaines Burse. 1633."; the individual title pages have "London, Printed for William Sheares. 1633." All except two of the individual title pages in Jonson's 1616 folio have merely "London, Printed by William Stansby. M.DC.XVI." It appears that printers of real collected volumes (of plays, at least) tended not to distribute the type after one of these individual title pages had been printed but to preserve the setup, making only the necessary changes in the readings when it was time to print a new title page. A note gives my evidence that such a procedure was followed in the case of Stansby's printing of Lyly's *Six Court Comedies* (1632) and Macock's printing of Killigrew's *Comedies, and Tragedies* (1664).<sup>140</sup> There are, however, some less common characteristics of seventeenth-century collected works volumes,

Stansby must have purchased the right to print the plays in the 1616 Jonson folio from the various stationers who owned the individual copyrights. In the Stationers' Register one finds these same owners of individual copyrights assigning their copyrights after 1616.<sup>141</sup> It may be taken for granted, therefore, that the publisher of a collected works volume could purchase the right to print a certain work in his collection from the owner of the copyright of that work. Furthermore, the particular owner of the copyright of the item (as differentiated from the publisher of the volume) was sometimes announced on the individual title page of the item. Two of the nine separate title pages of the Jonson 1616 folio do not read "Printed by William Stansby. M.DC.XVI." The imprint for *Every Man out of His Humour* is, "W. Stansby for I. Smithwicke. 1616"; that for *Poetaster*, "William Stansby for Matthew Lownes. M.DC.XVI." The general title page of Killigrew's *Comedies, and Tragedies* has "Printed for Henry Herringman, at the Sign of the Anchor in the Lower Walk of the New-Exchange. 1664"; all the individual title pages except two have the imprint "Printed by J. Macock, [or J.M.] for Henry Herringman, etc."; the individual title pages of *Claricilla* and *The Prisoners*, however, read "Printed by J.M. for Andrew Crook, at the sign of the Green Dragon in St Pauls Church-yard. 1663."

Sometimes the different imprints on the various title pages in a collected volume were due to the compositor's reprinting the imprints of the books he was using for copy. In Herringman's 1676 edition of *The Works of Sir John Suckling* "occur the imprints of editions issued by Humphrey Moseley in 1648, 1658, and 1659, besides one of Herringman's own, dated 1672."<sup>142</sup>

Sometimes the general title page to a volume of collected works, each of which has an individual title page, is omitted. One of the two issues of *The Workes of Benjamin Jonson. The second volume* (1640) does not have a general title page but only individual title pages for the separate plays. This phenomenon also occurs in "*Hebdomas Embolimaïos, A Supplement to the Eniautos, or Course of Sermons for the whole year: Being Seven Sermons etc.* 1663." This is a collection of sermons by Jeremy Taylor made up of individual editions of various dates. Normally there is a general title page, but sometimes the collection is found without it.<sup>143</sup>

Sometimes, too, the collected volume was made up of various items which had been printed at various dates and had been sold separately. In the Jeremy Taylor volume just noted, Royston, the

publisher, put together several quartos which had been previously published separately; hence the individual imprints reveal three different dates: 1661, 1662, and 1663. Another example of this same phenomenon is Gervase Markham's *A way to get wealth*. The 1638 edition contains some of the six items which were printed in 1631 (sold separately and in collection) and some which were printed in 1638 (*STC* 17396-97).<sup>144</sup>

One finds, of course, separate signatures for each item in a collected volume which is made up of items sold separately or printed in different years. At times this is true of collected volumes in which all of the items were printed at the same, or approximately the same, time. Witness *All such Treatises (vi.) as have been lately published by Thomas Norton (1570?)*; according to Hazlitt, "Each part has a separate title and set of signatures so as to sell by itself."<sup>145</sup> Henry Smith's sermons were also published separately and in collection (*STC* 22669, 22746). Moreover, a collected volume of which the parts were, evidently, not sold separately could have separate signatures for each individual item. This is true of *Aglaure, The Goblins, and Brennoralt* in Suckling's *Fragmenta Aurea* (1646); and of parts 6-10 in Richard Sibbes' *Evangelical sacrifices; in xix sermons* (*STC* 22491). The individual dramas in Shirley's *Six New Playes* (1653) not only have separate title pages and signatures but also separate pagination.

One further small point: sometimes reprints tended to imitate very closely the title page of the previous edition which was being used for copy. This is established by a glance at the title pages of Creede's 1600 and 1602 *Henry V*<sup>146</sup> and the title pages of Pavier's 1619 *Pericles* and Cotes' 1635 edition of the play.<sup>147</sup>

The 1619 quartos, therefore, are to be approached without any preconceptions. The absence of a general title page, individual title pages for each play, different dates in these individual imprints, the copying by the compositor of the title page of the quarto being reprinted, the curt style of the imprints, the individual imprint giving the name of the owner of the copyright, individual signatures—all of these phenomena can be paralleled. It is in the misinformation of five of the nine imprints that the strangeness of the 1619 quartos lies.<sup>148</sup> I now set down in three sections the information on which my admittedly very hypothetical reconstruction of what happened during their printing rests.



## A

THE OWNERS IN 1619 OF THE COPYRIGHTS OF THE INDIVIDUAL  
PLAYS IN THE 1619 COLLECTION

1) Pavier owned the copyright of *II, III Henry VI* by right of assignment from Millington.

2) Pavier entered and published *A Yorkshire Tragedy* "Written by W. Shakespeare" in 1608.

3) Who owned *Pericles* in 1619? Gosson, it will be recalled, published two quartos in 1609 and Stafford Q 3 in 1611. Since Gosson's last entry occurs on July 26, 1640 (IV, p. 516), and Stafford is found entering a book on June 24, 1624 (IV, p. 119), it is impossible to hold that *Pericles* was derelict in 1619. Whether Pavier bought it from Gosson or from Stafford does not matter for the purposes of this research. If Pavier bought it from Stafford, then Gosson had sold Stafford the copyright in or before 1611.

4) Roberts entered *The Merchant of Venice* on July 22, 1598. On October 28, 1600, he assigned his rights in the play to Thomas Heyes. I have indicated that there are grounds for supposing that Roberts reserved the right to print the play whenever it was published. Heyes brought out an edition in 1600, "At London, Printed by I. R. for Thomas Heyes." Thomas was dead before February 6, 1604 (III, p. 251). His son Lawrence took up his freedom November 7, 1614 (III, p. 684), and on July 8, 1619 (III, p. 651), by the "Consent of a full Court" two copies "which were . . . his fathers" were entered to him—one of them was *The Merchant of Venice* (III, p. 651), Q 3 of which he published in 1637. The only book extant published before 1619 by Lawrence (who during his lifetime seems to have been an extremely minor stationer) is a small quarto of twenty-two leaves, "The Worming of a mad Dogge . . . London, printed for Lavrence Hayes. 1617"; this, entered in the year of publication (III, p. 608), was the sole book entered to him before 1619. It should have been possible for Jaggard to buy temporary publishing rights for *The Merchant of Venice* from Lawrence Heyes in 1619; he must have sold such rights for the 1623 folio. Apparently Lawrence only became aware of his ownership of the copyright after the 1619 plays were put on the market: the play was entered to him in July; the Lord Chamberlain's letter was dated May 3. Nevertheless, a possible hypothesis is that Heyes was approached when Jaggard was coming to terms with Butter, Johnson, and Pavier, but that Heyes refused Jaggard permission; hence the latter was compelled to falsify the imprint date if he wished to include the play in the forthcoming collection. Another possibility is that Jaggard

considered the play derelict copy but could not get the Stationers' Company to allow him formally to print it because the Wardens did not want to antagonize Shakespeare's fellows. It may be that as Roberts' successor Jaggard thought he had some shadowy rights in the play. Whatever hypothesis may be nearest the truth, one may safely proceed on the premise that Jaggard could not show formal permission to reprint *The Merchant of Venice* in 1619.

5) Johnson owned the copyright of *The Merry Wives of Windsor*. He assigned it in 1630 to Meighen.

6) Butter owned the copyright of *Lear* and assigned it in 1639 to Flesher.

7) Pavier owned the copyright of *Henry V*.

8) Pavier entered the two parts of *Sir John Oldcastle* on August 11, 1600, and published the first part in 1600.

9) *A Midsummer Night's Dream* was entered by Thomas Fisher on October 8, 1600, and published by him in that year. On October 24, 1601 (III, p. 193), he and Matthew Lownes entered the two parts of *Antonio and Mellida*. In 1602, the first part was published for both, and the second part solely for Fisher. Nothing more is known of Fisher than the entrance and publication of these three plays.

## B

### BRIEF COLLATION OF THE 1619 QUARTOS, THE NUMBER BEFORE THE PLAY INDICATING PLACE OF TITLE PAGE IN THE CHRONOLOGICAL ORDER OF THE PRINTING OF TITLE PAGES

1) *The Whole Contention*; A2-Q; there is no separate title page for the second part

2) *A Yorkshire Tragedy*; separate leaf for the title page (D4), A-C, D(-D4)

3) *Pericles*; separate leaf for the title page, R-Z, Aa, Bb

4) *Merchant of Venice*; A-K

5) *Merry Wives of Windsor*; A-G

6) *Lear*; A-L

7) *Henry V*; A-G

8) *Sir John Oldcastle*; A-K

(?) *Midsummer Night's Dream*; A-H

## C

THE RELATIONSHIP BETWEEN THE 1619 QUARTOS AND THE  
QUARTOS UPON WHICH THEY ARE BASED

1) Millington in 1594 brought out the *Contention* (A-H) and in 1595 *The True Tragedy* (A-E, octavo). The 1619 *Whole Contention* was the first occurrence of the plays as a single unit.

2) Pavier brought out Q 1 of *A Yorkshire Tragedy* (A-D) in 1608. The collation of the 1619 quarto is D<sub>4</sub>, A-C, D (-D<sub>4</sub>). The 1619 compositor followed the 1608 title page but omitted "Acted by his Maiesties Players at the Globe."

3) Stafford brought out Q 3 of *Pericles* in 1611, A-I. The 1619 compositor was influenced somewhat by the type and spacing of the material on Stafford's title page.

4) The Heyes' 1600 *Merchant of Venice* collation is A-I, K<sub>2</sub>; the 1619 quarto's A-K. In this case the later compositor used two leaves more. The 1619 quarto is not a page-for-page reprint of Heyes'. The 1619 title page is altogether different from that of 1600. The ornament at the end of the 1619 is the same as the one at the end of the 1600 quarto.

5) Johnson's 1602 edition of *Merry Wives* has a collation of A-G, A<sub>1</sub> blank save for signature; the 1619 quarto, A-G; the latter, therefore, is not a page-for-page reprint. The 1619 compositor was influenced in his choice of type for the 1619 title page by the earlier title page.

6) The collation of Butter's 1608 quarto of *Lear* (A<sub>2</sub>, B-L) and that of the 1619 quarto (A-L) indicate that the 1619 compositor used two more leaves than did the earlier printer. The title pages, except for the imprints, are exactly the same in their readings, very similar in their grouping of the blocks of readings, but altogether different in the spacing of the reading matter within the individual lines.

7) Pavier, so far as is known, brought out an edition of *Henry V* in 1602 but not in 1608. The 1619 quarto is a reprint of Millington and Busby's 1600 edition (A-G) and has the same collation. The 1619 title page because of its headpiece is immediately distinguishable from the 1600 and 1602 title pages.

8) The 1619 quarto of *Oldcastle* has the same number of leaves as the 1600 but is not a page-for-page reprint. The 1619 title page was influenced in grouping and type by the earlier.

9) Except for device and imprint, the 1600 title page and the 1619 title page of *A Midsummer Night's Dream* are exceedingly alike. The readings, spacing, and type parallel one another. Nevertheless, the

headpieces and printer's devices are radically different; Q 1 has "publickely," Q 2 "pub-likely"; Q 1 has "honourable," Q 2 "Honourable." The Roberts' quarto is a page-for-page reprint of Q 1, A-H. But Q 1 has a small "d" for "dreame" throughout its running head titles, whereas the 1619 quarto uses a capital "D." The ornaments after "FINIS" on H<sub>4</sub> verso differ.

In the war with the Chamberlain-King's men, the weapon which the stationers possessed was the right to publish based on entrance, license, and publication. Both before and after 1619, stationers who had established copyright in certain of the King's men's plays published these plays—and did so in spite of objections by the acting company and decrees of the Lord Chamberlain. Of the ten plays published in 1619, there was no question at all as to the owner of copyright in the case of eight. Assuming, as we may, that Jaggard (or Pavier?<sup>149</sup>) purchased from the respective owners the right to publish *Merry Wives* and *King Lear*, and that Jaggard and Pavier had some agreement whereby the former was to print six of the plays owned by the latter, we see that those plays in which Jaggard in 1619 could show no clear possession of the right to print were *The Merchant of Venice* and *A Midsummer Night's Dream*.

Jaggard in 1619 began printing a volume of ten plays all supposedly by Shakespeare. As is normal in collections, he gave his first item, *The Whole Contention*, an individual title page on which he used a short imprint, "Printed at London, for T. P." Before he finished the second part of the *Contention*, however, something arose which made him forestall the printing of the title page of *Pericles*, the first sheet of which has a signature continuous with the last sheet of the *Contention*. He was in doubt as to the title page of *Pericles* for some time, for he next printed the text of *A Yorkshire Tragedy*, but did not immediately print a title page for it either. Moreover, something had made him decide to make the collection look less like a collection, for *A Yorkshire Tragedy* does not have continuous signatures with *Pericles*—it is given the signatures of a separate item. Then he composed and inserted a title page dated 1619 for *A Yorkshire Tragedy* in its last printed sheet; made the necessary changes in the same title page setup and printed a separate leaf title page dated 1619 for *Pericles*; and then made the necessary changes in the same title page setup for *The Merchant of Venice*. For this last

title page, he chose a false imprint, "Printed for J. Roberts, 1600," inserted the title page in outer forme A, and printed the play.

What made Jaggard hesitate in the printing of title pages and give up his plans to make a volume which was to appear as a single unit printed at one time? If he were afraid to publish plays in 1619 in which he could show clear possession to print, he was certainly foolhardy—for he explicitly stated both before and after the printing of the title page of the *Merchant* that *Pericles*, *A Yorkshire Tragedy*, and *Merry Wives* were printed in 1619 and stated for whom. If he had later been afraid of revealing that these plays were published in 1619, he would have destroyed the title pages of *Pericles*, *A Yorkshire Tragedy*, and *Merry Wives* and made new imprints containing false dates. But apparently Jaggard was not at all concerned about the publication of these plays. One must remember that the decision to print the rest of the volume without signatures, with each play apparently a separate edition, was made after the finishing of the text of *Pericles* and before the beginning of the text of *A Yorkshire Tragedy*. The particular decision as to the title pages had not yet been made, but when decision was made, the date put down for *Pericles* and *A Yorkshire Tragedy* was 1619 and the owner of the copyrights in that year, Thomas Pavier, was given. In other words, the action after the decision indicates not fear but the very opposite, a declaration of the true year and publisher. Therefore, since the title pages of these two plays show no attempt to hide anything, and since the title page of *The Merchant* (with a false imprint) was composed immediately after, I conclude that the delay in printing the title pages of *Pericles* and *A Yorkshire Tragedy* was caused by the necessity of deciding what the imprint of the *Merchant* should be.<sup>150</sup>

When the title page of *The Merchant of Venice* was printed in the same forme which began the text, the imprint ran "Printed by J. Roberts, 1600." The differences between the title pages, the fact that the edition is not a page-for-page reprint of the Heyes' quarto, show that Jaggard was not trying to present his edition fraudulently as another issue of Heyes' quarto but as another edition. It was not unusual for two editions to appear in the same year, each for a different publisher. There were editions in 1600 of *Every Man out of His Humour* for Ling and for William Holme.

Jaggard in 1619 wanted to issue a collection of ten plays by

Shakespeare. He did not own copyright in *The Merchant of Venice*. He decided to sell his ten plays in a group but to make it appear that they were individual editions. In this manner he could insert a quarto dated 1600 which would be regarded as a remainder. How cleverly Jaggard solved his problem! *The Merchant* was to appear among individual editions printed in 1619 as an earlier edition which was published by his predecessor in the same shop and which he, Jaggard, acquired when he bought the shop. Jaggard then printed *The Merry Wives of Windsor*, indicating the date as 1619. Then a devilish notion possessed him. He knew that for all the plays in the set except the *Merchant* and *A Midsummer Night's Dream* he could show in 1619 the right to publish and he was not in the least afraid to announce this right in unequivocal imprints—witness especially “Printed for Arthur Johnson, 1619” after he had used the false imprint, “Printed for J. Roberts, 1600,” on the title page of a play in which in 1619 he could not show copyright. “But,” Jaggard must have reasoned, “it will certainly look suspicious if I have one quarto dated 1600 and six other quartos dated 1619.” The illusion that the *Merchant of Venice* edition was a remainder of an edition published in 1600 would certainly be fostered if the *Merchant* were surrounded with other editions that also apparently were remainders. Therefore Jaggard decided to use false imprints bearing the date of the immediately preceding edition in the case of *Lear*, *Henry V*, and *Oldcastle*. The compositor failed to change the “1608” of *Lear* to “1602,” the date of Pavier’s Q 2 of *Henry V*, but Jaggard did not even cancel the title page in order to rectify the error. All that was required was an earlier date than 1619, and a presumptive edition of 1608 would do quite as well as a presumptive edition of 1602. Jaggard, therefore, used false imprints on quartos in which he would not have been afraid to put 1619 as camouflage for imprints in which he was unwilling to put 1619.

No one knows when in the sequence of the 1619 quartos *A Midsummer Night's Dream* was printed, not even approximately. This play was derelict copy; in order to publish such copy, it was necessary to obtain the Stationers’ Company’s permission. For the stationers’ guild to grant Jaggard the right to print this play in 1619 might be construed by the King’s men as an act in direct defiance of their interests. This is, possibly, the same situation as *The Merchant of Venice* created. For eight of the plays Jaggard

and his cohorts were acting on their own responsibility. If the Stationers' Company gave a stationer who did not possess copyright in *MND* the right to publish the play, the guild might be involved in the presumptive quarrel between the King's men and Jaggard. The latter, therefore, decided not to try to establish copyright in *A Midsummer Night's Dream* at Stationers' Hall but to print the derelict copy with a false publisher and with a false date. This was the only alternative to issuing it with a 1619 date, a procedure which might have led to some kind of trouble. Jaggard's apprehensions may perhaps be gauged by the supposition that his edition of *A Midsummer Night's Dream* purports to be not an edition different from another published in 1600 (as does his *Merchant*) but a second issue of the edition bearing Fisher's name. It was not uncommon for a single edition to be sold by two or more publishers, each publisher having his name only on the title page of the issue which he sold.<sup>151</sup> How fortunate, therefore, for Jaggard to find in his shop a large stock of unsold copies of *A Midsummer Night's Dream* published in 1600 by his predecessor, Roberts!

"Master Jaggard has Master Pavier's *Whole Contention, Pericles*, and *A Yorkshire Tragedy*, all printed in 1619. Master Johnson has republished *The Merry Wives of Windsor* in the same year. Master Pavier luckily discovers that he has on hand quite a few remainders of two other plays by Shakespeare, *Henry V* and *Sir John Oldcastle*. Master Butter discloses the fact that Q 2 of *Lear* which he published in 1608 is also not sold out. But wonder of wonders, Master Jaggard in his own shop comes upon a great number of copies of two plays, *The Merchant of Venice* and *A Midsummer Night's Dream*, published by his predecessor, Roberts, in 1600! Certainly the customer will welcome the opportunity to buy in a set these nine quartos. What a pretty volume they will make!"

That would be Jaggard's story to any book buyer who happened to exhibit surprise concerning the various dates, running from 1600 to 1619, in the imprints. Certainly the King's men could not object to the fact that Jaggard was in 1619 selling remainders, nor could they object to Jaggard's selling *Pericles*, *A Yorkshire Tragedy*, and *Merry Wives*, plays which were printed in 1619, for did not Pavier and Johnson possess copyright in these plays? No one had stopped Matthew Law from publishing Q 5

of *Richard III* in 1612, Q 5 of *I Henry IV* in 1613, and Q 5 of *Richard II* in 1615. How could he be stopped? He possessed copyright, the legal right to put out an edition whenever he wished.<sup>152</sup>

How sure Jaggard was that his false imprint on the 1600 *Merchant of Venice* would not be found out may be determined from the fact that he used above Roberts' name a device that the latter had never used. His supposed second issue of Q 1 of *A Midsummer Night's Dream* could not for a single moment fool anyone with a discerning eye. I should add that the different arrangement of the quartos in the volume still extant, in which they are all bound together, is apparently due to the original buyer's decision or to the binder's pleasure. Hence this different order of quartos may, perhaps, be taken as evidence that Jaggard sold the quartos in sets but not in bound volumes.

Shakespeare's fellows were aghast at Jaggard's effrontery in once more presenting the public with six plays of Shakespeare which had been butchered almost beyond recognition. Further, they had not forgotten that they had never received one farthing for the publishing rights to these six plays. What must have irritated them very much was to find *Oldcastle* as well as *A Yorkshire Tragedy* attributed to their dramatist, although the title page of the former indicated production by a company for which Shakespeare had never written. How aroused the King's men were appears in a letter written on their account by the Lord Chamberlain to the Master and Wardens of the Stationers' Company in May, 1619, a letter to which reference has been made.

Whether Walkley's unauthorized edition of *A King and No King* in 1619 came out after the Lord Chamberlain's letter of May 3 is not known. On April 28 of the same year Higgenbotham and Constable had entered *The Maid's Tragedy*. This too was published in 1619, "As It Hath Beene diuers times Acted at the Blacke-friers by the Kings Maiesties Scruiants. London Printed for Francis Constable and are to be sold at the white Lyon ouer against the great North doore of Pauls Church. 1619." There was also an issue for Higgenbotham. I have indicated that the copy for this edition was probably a private transcript, and that the play was published without the permission of the King's men. I have also suggested that Constable's Q 2 of 1622, "Newly perused, augmented, and enlarged" was based on a MS which came from



the players, to remedy the faulty first edition. Constable and Higgenbotham assigned the copyright to Hawkins in 1629 (IV, p. 221). If my surmises be correct, Jaggard's quartos, Walkley's *A King and No King*, and Constable's *The Maid's Tragedy* represent a smashing defeat of the King's men by the stationers in 1619. And I shall soon show that the Lord Chamberlain's letter did not stop unauthorized printing of the King's men's plays.

Perhaps the strength and boldness of the stationers' refusal to accede to the interference of the acting company in the period 1619-23 may be better understood when one examines the directing personnel of the Stationers' Company during those years. In 1621, William Jaggard, the printer of the 1619 quartos, was chosen to the Livery. In 1619, John, his brother, had served as Junior Warden. In 1621 John was elected to the Court of Assistants; in July 6, of the following year, he paid a fine of five pounds for refusing to serve the office of Junior Warden to which he had been again elected.<sup>153</sup> On March 27, 1620, Isaac Jaggard, William's son, was elected Renter Warden.<sup>154</sup> In 1622-23 Pavier was Junior Warden. The King's men could expect no great sympathy from such men, for it was at them that the Lord Chamberlain's decree of 1619, instigated by the players, had been aimed. Pavier, in particular, was the nominal publisher of five of the 1619 quartos, and the owner of the copyrights of four of Shakespeare's plays, three of which had been published in bad texts.

A year after he had dared the ire of the King's men by publishing *A King and No King*, Walkley published another play without their consent and in opposition to the Lord Chamberlain's orders. On January 10, 1620 (III, p. 662)—seven months from the time of his lordship's letter—Walkley entered another Beaumont and Fletcher play, the maimed and deformed text of *Philaster*, which he published in the same year, "Written by Francis Baymont and Iohn Fletcher":

Thomas Walkley. Entred for his copie vnder the handes of Master Tauernor and Master Jaggard warden A Play called *Philaster*. vjd

The conclusion cannot be escaped that in authorizing the entrance, the Stationers' Company, in the person of John Jaggard, Junior Warden, went hand-in-hand with Walkley in defying the wishes of his Majesty's servants and the power of the Lord Chamberlain. The players' blocking entries had been of no avail—and now their

attempt to prevent surreptitious publication of plays in their repertory by another method, employing the authority of the Lord Chamberlain, had also failed. The players must have been in a rage when the corrupt version of *Philaster* came on the market. Of course, Walkley had established copyright in the play by his entrance and publication. He assigned the copyright to Hawkins in 1628.

Q 2 of *Philaster*, "The second Impression, corrected and amended," published in 1622 by Walkley, is a good text. This good quarto succeeding a bad quarto contains a most interesting epistle:

To the Reader.

Courteous Reader. Philaster, and Arethusa his love, have laine so long a bleeding, by reason of some dangerous and gaping wounds, which they received in the first Impression, that it is wondered how they could goe abroad so long, or travaile so farre as they have done. Although they were hurt neither by me, nor the Printer; yet I knowing and finding by experience, how many well-wishers they have abroad, have adventured to bind vp their wounds, & to enable them to visite upon better tearmes, such friends of theirs, as were pleased to take knowledge of them, so mained [*sic*] and deformed, as they at the first were; and if they were then gracious in your sight, assuredly they will now finde double favour, being reformed, and set forth suteable, to their birth, and breeding.

By your serviceable Friend,  
Thomas Walkley.<sup>155</sup>

Walkley in no circumspect manner declares that his 1620 version of the play was corrupt.<sup>156</sup> Furthermore, he declares that this corruption was not the fault of the printing house but was present in the text when it came into his hands. Now just as one cannot by any stretch of the imagination hold that the MS for Q 1 could have come from the players, so the conclusion that the MS for Q 2 did come from the players may be entertained. As the scholar can imagine the players' supplying Ling with a MS of *Hamlet* in response to Shakespeare's disgust with the shockingly botched Q 1 and its announcement that this was the play which had been performed at the universities, so one can imagine the players' furnishing Walkley with the holograph or a transcript of it in answer to Fletcher's disgust with Q 1 of *Philaster*, which was apparently one of his most well-known and popular plays. Nei-

ther must the sentimental suggestion that Beaumont's name on the title page of Q 1 followed by the maimed and deformed text had something to do with his acting company's supplying the publisher with a good text be entirely disregarded. My point is, however, that Walkley having established copyright with his corrupt *Philaster* had to be the publisher of the good *Philaster*—just as Ling had to be the publisher of the good *Hamlet*, Wright had to be the publisher of the good *Doctor Faustus*, and Crooke had to be the publisher of the good *Religio Medici*. It should also be recalled that Meighen, owning a copyright in *Merry Wives* based on the bad quarto, in 1630 published a quarto which was a reprint of the good folio text.

Walkley had now published two of the King's men's plays: *A King and No King* in defiance of a blocking entry, and *Philaster* in defiance of the Lord Chamberlain's letter of May, 1619. Furthermore, it is doubtful that Walkley's 1621 *Thierry and Theodoret*, "As it was diuerse times acted at the Blacke-Friers by the Kings Maiesties Seruants,," although it is a good text, was published with the permission of Shakespeare's fellows. But, if my conjectures be correct, Walkley was to stir the players' anger even more grievously. I wish to consider his 1622 quarto of *Othello*.

Jaggard, it is now known, expected to finish the Shakespeare First Folio before the end of 1622, and Willoughby believes that he began work on it near the end of the summer of 1621 (see below). With the exception of the 1619 quartos, no new editions of Shakespeare's plays had been issued between 1615 and 1622. In 1622 Matthew Law brought out Q 6 of the bad *Richard III* and Q 6 of *I Henry IV*, and in the same year Thomas Dewe published, "as they were (sundry times) lately acted. Written by W. Shakespeare," the old source plays of *King John*, the two parts of *The Troublesome Raigne of Iohn King of England*. It is not difficult to assume that both Law and Dewe were taking advantage of the publicity which Jaggard was giving the forthcoming First Folio. But it was, I hold, Walkley who really took action.

On October 6, 1621 (IV, p. 59), this entry was made in the Registers:

Thomas Walkley. Entred for his copie vnder the handes of Sir George Buck, and Master Swinhowe warden, The Tragedie of Othello, the moore of Venice. vjd

The next year this copy was published:

The Tragoedy of Othello, The Moore of Venice. As it hath beene diuerse times acted at the Globe, and at the Black-Friers, by his Maiesties Seruants. Written by William Shakespeare. London, Printed by N. O. for Thomas Walkley . . . 1622.

K. W. Cameron's careful comparison of this version with the folio text has established the fact that Q must be considered to be a good text.<sup>157</sup> Chambers considers it to have been printed from "a not very faithful . . . early transcript."<sup>158</sup> Greg, as has been seen, definitely calls it a private transcript. I think a good circumstantial case (on other than textual grounds) can be built up which indicates that the copy for Q was a private transcript published without the players' consent.

Willoughby, mainly on the basis of the average yearly output of Jaggard's printing house and on the basis of technical evidence concerning a flaw in a tailpiece which was employed by Jaggard, has satisfactorily determined the chronology of the printing of Shakespeare's First Folio. Before the printing of Augustine Vincent's *A Discoverie of Errours* (entered in the Register on October 29, 1621 [IV, p. 60]), Jaggard had completed twenty-five quires of the First Folio, including the comedies (except *A Winter's Tale*) and *King John*; simultaneously he had begun the printing of Favyn's *A Theatre of Honour*. Jaggard still hoped to finish the Shakespeare volume in 1622, however, for in Bill's London edition of the *Mess-Katalog* of the Frankfort Book Fair, *A Catalogue of such bookes as have beene published and (by authoritie) printed in English since the last Vernall Mart which was in Aprill 1622 till the present October 1622*, there is the advertisement: "Playes written by M. William Shakespeare, all in one volume, printed by Isaack Jaggard in fol." Jaggard, however, did not resume work on Shakespeare's plays even after he had finished Vincent's *Discoverie*. "Instead," says Willoughby, "he turned his attention to another heraldic book (for John White), *The Description of Leicester Shire*, 1622, by a relative of Vincent, William Burton, and to the third edition of Thomas Wilson's *Christian Dictionarie* (1622); he also put in hand most, and probably all, of the remainder of Favyn's *Theatre of Honour* (1623) and two or three smaller books." If one may trust Bill's *Catalogue of Such Bookes as have beene published since September 1622 and this*

present Aprill 1623, Jaggard had finished Favyn's *Theatre of Honour* in the first months of 1623. The First Folio of Shakespeare's plays was probably finished in November of that year.<sup>189</sup>

No text of Shakespeare published with the acting company's consent had been issued since Q 2 of *Hamlet* (1604), and it has been surmised that the King's men parted none too willingly with the copy for it. If the King's men sold the MS for Q 1 of *Othello* to Walkley, they were breaking a precedent of almost twenty years, and the stationer to whom they sold the MS was one who had been a cause of irritation to them during the very years 1619-20 when they had been so agitated concerning unsanctioned publication of their plays. Furthermore, they sold this individual play to Walkley *after* they had entrusted the printing of all Shakespeare's plays to Jaggard. On the face of it, this would be an amazing procedure. Clearly, it was to the obvious commercial advantage of Jaggard to have as many unprinted plays in his Shakespeare volume as possible. Furthermore, one must suppose Jaggard a very stupid fellow indeed if he had not ascertained before printing (as nearly as he could) how much money he would have to pay to stationers who already owned copyrights in Shakespeare's plays. In other words, I suggest that payment to Walkley for the right to print *Othello* was not on Jaggard's list when he arranged to print the folio. If, therefore, one holds that Q 1 of *Othello* was authorized by the King's men, one must also hold that the latter sold the manuscript to Walkley, hitherto one of their enemies, in order to harm Jaggard, one who obviously was on good terms with them in 1621!<sup>190</sup> The hypothesis that Q 1 of *Othello* was entered and published with the consent of the King's men leads to a quagmire of confusion. So it certainly seems that Walkley published *Othello* in 1622 from a private transcript and in direct defiance of the actors—who at the time were engaged in the project of publishing Shakespeare's complete plays.

That Walkley knew he had a potentially profitable item in his quarto of *Othello* is evidenced by his "The Stationer to the Reader":

To set forth a booke without an Epistle, were like to the old English prouerbe, A blew coat without a badge, & the Author being dead, I thought good to take that piece of worke vpon mee: To commend it, I will not, for that which is good, I hope euery man will commend,

without intreaty: and I am the bolder, because the Authors name is sufficient to vent his worke. Thus leauing euery one to the liberty of iudgement: I have ventered to print this Play, and leaue it to the generall censure.

Yours,  
Thomas Walkley.<sup>161</sup>

Walkley assigned the copyright of *Othello* (along with that of *Philaster* and *A King and No King*) to Richard Hawkins on March 1, 1628 (IV, p. 194). The latter brought out Q 2 in 1630. On March 29, 1638 (IV, p. 420), his widow assigned the play to Mead and Meredith, who in turn, on January 25, 1639 (IV, p. 452), assigned the copyright to William Leake. The latter brought out Q 3 in 1655. It is seen, therefore, that any objections by the players to his publication did not vitiate Walkley's copyright in *Othello*. Again one notes that the rules and regulations of the Stationers' Company did not break down in spite of the players' displeasure.

An unauthorized *Othello*, put out after the folio was begun, must have angered Shakespeare's fellows greatly. That they were angry is indicated by the well-known words in Heminge and Condell's "To the great Variety of Readers" concerning stolen and surreptitious copies. In 1622 Law brought out Q 6 of *I Henry IV* and Q 6 of the bad *Richard III*; he had purchased both copyrights from Wise in 1603 (III, p. 239). In 1622, also, Thomas Dewe republished the old *John* plays, "The First and second Part of the troublesome Raigne of Iohn King of England. . . . As they were (sundry times) lately acted. Written by W. Shakespeare . . . Aug. Mathewes for Thomas Dewe . . . 1622." These had been first issued in 1591 by Sampson Clarke and had been reprinted in 1611, "As they were (sundry times) lately acted by the Queenes Maiesties Players. Written by W. Sh. . . . Valentine Simmes for Iohn Helme . . . 1611." Dewe appears to have acquired some of Helme's copyrights.<sup>162</sup>

A surreptitious *Othello*, a bad *Richard III*, a *Troublesome Reign* erroneously ascribed to Shakespeare—no doubt these 1622 quartos displeased the King's men intensely. Perhaps, too, a good quarto of *The Maid's Tragedy* appeared in 1622 because when Higgenbotham and Constable offered to reprint the corrupt Q 1, the players furnished them with a correct text. Yet it seems to me that the careful Willoughby has misinterpreted some evidence:

The Players, it would seem, took decided action [concerning Dewe's

*Troublesome Reign* and Law's *Richard III* and *I Henry IV*], for the Lord Chamberlain addressed to the Stationers' Company a letter 'concerning the printing of playes' which was read to all master printers on 3 March 1622/3 (Court Book C). To judge from the interference of the Lord Chamberlain in favour of the King's Players in 1619 and 1637, we may fairly conclude that this letter was directed against Law, Oakes, Dewe, and Matthews, just as that of 1619 had been evidently directed against Pavier and Jaggard.<sup>163</sup>

Unfortunately, the letter does not seem to have contained an objection to the publication of plays but a direction that Sir John Astley was now Master of the Revels and that he was now to license all plays for printing. Buc had gone mad the previous year; on March 29, 1622, a warrant had been issued to swear in Astley as Master.<sup>164</sup> I record a private communication from W. A. Jackson, who has photostats of the documents involved:

In the Stationers' Court Book C, recto folio 76, under date 3 March 1622/23, it is stated: "This daie a letter from my lord Chamberlayne was openly read to all the Master Printers concerning the lycensing of Plays &c by Sr. John Ashley The Copie whereof is in the booke of letters/." I have looked in my transcript of the Letter-book and find that at no time during 1621-24 is there any record of that letter . . .

How much the publication before 1623 of the stolen and surreptitious texts, including the maimed and deformed versions, had to do with the venture of the First Folio has never been fully realized. The latest writer on the subject, Willoughby, follows different clues to discover why Jaggard printed the First Folio.<sup>165</sup> A. W. Pollard started the right hares but unfortunately did not pursue them:

. . . The table of the plays in the First Folio and the owners of the copyrights in them of itself suggests that the four venturers who took the risks came together just because between them they were able to overcome any difficulty created by the existing copyrights, and thus leads us to believe that such a difficulty was at least anticipated.<sup>166</sup>

In 1621, seventeen of the thirty-six plays which the First Folio was to contain had not been printed; nineteen (including *A Shrew* and *The Troublesome Reign*) had been. This means that whoever published the First Folio would have to purchase the right to print individual plays from the several owners of the nineteen already established copyrights.<sup>167</sup> Furthermore, as shall soon be seen, coming to terms with the stationers who owned

copyright in individual plays of Shakespeare was to be no easy matter.<sup>168</sup> In 1619, however, Jaggard had come to terms with Pavier (*II Henry VI*, *III Henry VI*, *Henry V*); Butter (*King Lear*); and Johnson (*Merry Wives of Windsor*). The fact that he had dealt satisfactorily with them in 1619 would indicate that he could once more parley with them. Moreover, Jaggard's friend, Pavier,<sup>169</sup> also owned at least a half-share in *Titus Andronicus*.<sup>170</sup> Jaggard may have regarded *A Midsummer Night's Dream* as his property. Those stationers who in 1621 owned copyrights in the nineteen published plays are listed below:

Stationer	Number of Copyrights	Plays
Jaggard (?)	1	<i>Midsummer Night's Dream</i>
Heyes	1	<i>Merchant of Venice</i>
Butter	1	<i>King Lear</i>
Johnson	1	<i>Merry Wives</i>
Walley	1	<i>Troilus and Cressida</i>
Dewe	1	<i>King John</i> <sup>171</sup>
Pavier	4	{ <i>II Henry VI</i> <i>III Henry VI</i> <i>Henry V</i> <i>Titus Andronicus</i>
Law	3	{ <i>Richard II</i> <i>Richard III</i> <i>I Henry IV</i>
Smethwicke	4	{ <i>Love's Labor's Lost</i> <i>The Taming of the Shrew</i> <sup>171</sup> <i>Romeo and Juliet</i> <i>Hamlet</i>
Aspley	2	{ <i>Much Ado About Nothing</i> <i>II Henry IV</i>

Now if a volume of thirty-six plays were projected, all these copyright holders would have to be satisfied. If it be postulated that Jaggard could control seven copyrights (see above), one can see that among them, Law, Aspley, Smethwicke, and Jaggard had sixteen of the nineteen established copyrights. It was imperative that they be questioned as soon as the matter of a collected volume was broached. The colophon to the First Folio tells what hap-



pened, "Printed at the Charges of W. Jaggard, Ed. Blount, I. Smithweeke, and W. Aspley, 1623." Aspley, Jaggard, and Smethwicke, controlling thirteen of the nineteen copyrights in the plays already printed, banded together to publish the collected plays. Blount, one guesses, entered the combine as agent for the players, a role with which he was already familiar, as has been seen.<sup>172</sup> There now remained only four stationers with whom the publishers would have to deal in the difficult business of buying permission to print individual plays: Law (3 plays), Walley (1 play), Heyes (1), and Dewe (1).<sup>173</sup> This *was* a difficult business. It is now known that *Troilus and Cressida* was almost omitted from the volume, probably because of an inability to come to terms with Walley.<sup>174</sup> It is equally certain that Law was extremely recalcitrant in regard to the inclusion of *Richard II*, *I Henry IV*, and *Richard III*.<sup>175</sup> Willoughby suggests, "It may have been a sense of the strength of his [Law's] position that encouraged him in 1622 to republish *Richard III* and *I Henry IV*."<sup>176</sup>

That the publishers of the First Folio, themselves, represented two-thirds of the plays already printed should indicate that it was copyright deriving from these nineteen printed plays and *not* the decision of Shakespeare's fellows which determined the choice of publishers of the volume. Its colophon reveals an arrangement whereby a minimum of friction between publisher and the holder of individual copyright could arise. Let it be remembered that seven of the nineteen copyrights had been established by bad quartos;<sup>177</sup> that at least one more copyright had been established by publication, also without the players' consent;<sup>178</sup> and that two more copyrights had been established by publication of old plays.<sup>179</sup> Thus the King's men had had absolutely nothing to do with the publication of ten of the nineteen quartos the copyrights of which dictated their choice of publishers in 1623. Furthermore, the two owners of individual copyrights who interfered with the printing of the First Folio had published plays of Shakespeare without the acting company's consent.<sup>180</sup> Therefore, even in the matter of the First Folio, one finds striking evidence of the players' bowing to the will of the stationers. The fact that more than a year after the volume was begun the publishers were still having trouble with Walley and Law may perhaps indicate that it was not a matter of money that made them recalcitrant, but of enmity toward the King's men.<sup>181</sup> Finally, Walkley's publishing *Othello* after the

First Folio was begun illustrates again how helpless Shakespeare's fellows were in the matter of surreptitious publication of their plays.

My hypotheses are almost complete. The Second Folio's colophon reads, "Printed at London by Thomas Cotes, for John Smethwick, William Aspley, Richard Hawkins, Richard Meighen, and Robert Allot." There are variant imprints for the title page:

Printed by Tho. Cotes, for William Aspley . . . .

Printed by Tho. Cotes, for Richard Hawkins . . . .

Printed by Tho. Cotes, for Richard Meighen . . . .

Printed by Tho. Cotes, for John Smethwick . . . .

Printed by Tho. Cotes, for Robert Allot . . . .

It is as apparent in the case of the Second Folio as in the First that ownership of copyright in those plays of Shakespeare printed before 1621 determined who the publishers were to be. With Aspley and Smethwicke, I have already dealt; between them they owned six copyrights. On August 4, 1626 (IV, pp. 164-65), Mistress Pavier assigned to Edward Brewster and Robert Birde, "Master Paviers right in Shakesperes plaies or any of them." The assignment of these plays to Richard Cotes by Birde on November 8, 1630 (IV, p. 242), indicates that four copyrights came from Pavier to Cotes via Birde:

Henrye the Fift

Titus and Andronicus

Yorke and Lancaster

Three of these copyrights had been established by bad texts (*Henry V*, *II Henry VI*, *III Henry VI*). In 1627 (IV, p. 182), Thomas and Richard Cotes purchased Isaac Jaggard's rights to the sixteen plays entered by Blount and Jaggard in November, 1623; and Allot bought Blount's rights in these same sixteen plays in 1630 (IV, p. 243). The share of Smethwicke, Aspley, Cotes, and Allot in the Second Folio is thus accounted for. But what about Meighen and Hawkins? Meighen had purchased Johnson's copyright in *The Merry Wives of Windsor* in January, 1630 (IV, p. 227), and be it remembered that this copyright was based on publication of a bad quarto. Hawkins had purchased Walkley's right in *Othello* in March, 1628 (IV, p. 194), and it must be remembered that Walkley had almost certainly published the play without the players' permission.

One may conclude, therefore, that whatever were the orders which the Lord Chamberlain issued in May, 1619, concerning the printing of plays, these orders were of no force in 1621-23 in depriving those stationers who owed their copyrights to stolen and surreptitious copy of their rights in Shakespeare's plays. More proof of this is the fact that Meighen, who in 1630 purchased from Johnson the copyright of *Merry Wives*, published in that year not the bad text which Johnson had brought out in 1602 and 1619 but the text in the First Folio. Furthermore, Matthew Law in 1629 issued Q 7 of *Richard III* (the bad text). In 1630 Hawkins published an edition of *Othello*, the copyright of which was based on Walkley's surreptitious publication. For this quarto, moreover, Hawkins utilized to some extent the folio text.<sup>182</sup>

If the conjectural history in this chapter be accepted, then we can no longer be optimistic concerning the ability of Shakespeare's fellows to hold the stationers' depredations in check. Shakespeare, we will have to admit, was badly worsted in his fight with the so-called "pirates," and we can better understand the background of Heminge and Condell's angry words quoted at the beginning of this book.



## APPENDICES



## APPENDIX A

### COPYRIGHT AND PUBLICATION HISTORY OF THE BAD QUARTOS

#### *Fair Em*

Q 1: "Imprinted at London for T. N. and I. W. and are to be solde in S. Dunstones Churchyarde in Fleete-streete."

Q 2: "Printed for Iohn Wright, and are to be sold at his shop at the signe of the Bible in Guilt-spur street without New-gate. 1631."

*Remarks:* Greg writes:

Although the first quarto is undated, there are several indications that make 1593 a likely year for its appearance, or at least a likely downward limit. The title-page describes the play as 'publiquely acted in the honourable citie of London, by the right honourable the Lord Strange his seruauents.' Ferdinando, Lord Strange, became Earl of Derby on 25 Sept. 1593, and it is unlikely that his company would be called by its old name at any rate after the end of that year. Again, the ornament that appears on the title-page [of Q 1], a coarsely cut copy of the frame of the device used by Henry Bynneman (McKerrow, no. 149), occurs in a similar state in a book printed by W. Hoskins and J. Danter for A. Mansell with the date 1592 (S.T.C. 12561), though it is also found eight years later (S.T.C. 25154). But Danter printed at least one book in 1592 for J. Winnington (S.T.C. 13601), who by the way had served his apprenticeship under Mansell, and Winnington had been associated with T. Newman in publishing as early as 1589 (S.T.C. 12224). Moreover, on 30 June 1593, Winnington and Newman entered in the Stationers' Register a book which was actually printed the same year for Winnington and T. Man (S.T.C. 25019). This looks as though Newman had gone out of business in the latter half of 1593: indeed, the entry in question is the last in which either his or Winnington's name appears, and they do not appear to have published anything later. Both seem to have been dead in 1595. It is possible, therefore, that *Fair Em* was printed by Danter, and probable that the T. N. and I. W. of the imprint are Newman and Winnington, especially as the play was 'to be solde in S. Dunstones Church-yard in Fleete-streete,' and Newman did have his shop in the churchyard and Winnington in Fleet Street near by. In that case the quarto can hardly be later than the summer of 1593. Another small item of evidence pointing to a similar date is the curiously shaped query-mark found in l. 615 . . . . It belongs to a black letter fount . . . . This sort is said to have been in use 'about 1580-90' (McKerrow, *Introduction to Bibliography*, p. 316), and the latest book in which it has been observed is dated 1592 (S.T.C. 16656), though there would be nothing surprising in its sporadic occurrence later.

The edition of 1631 was published by Iohn Wright. The printer was J. Haviland, as appears from the device or ornament on the title-page. But

it does not seem possible to trace any connexion between Danter, Newman, and Winnington on the one hand and either Haviland or Wright on the other, and it is probable that the latter treated the copy as derelict.<sup>1</sup>

The case for Danter's having printed Q 1 is weak, but it is almost certain that the initials on the title page stand for Newman and Winnington. On October 30, 1595 (III, p. 51), Winnington's widow assigned three copies to John Busby, but *Fair Em* was not one of them.

### *Edward 1*

SR October 8, 1593 (II p. 637): "Abell Jeffes. Entred for his Copie under thandes of both the wardens an enterlude intituled the Chronicle of Kinge Edward the first surnamed Longeshank with his Retourne out of the Holye Lande, with the lyfe of Leublen Rebelle in Wales with the synkinge of Quene Elinour. vjd"

Q 1: "Printed by Abell Jeffes, and are to be solde by William Barley, at his shop in Gracious streete. 1593."

SR August 13, 1599 (III, p. 146): "William white. Entred for his [5] copies (saluo Jure cuiuscunque) by assignement from Abell Jeffes . . . Edward Longshankes . . . ijs"

Q 2: "Imprinted at London by W. White dwelling in Cowlane. 1599."

SR August 14, 1600 (III, p. 169): "Thomas Pavyer. Entred for his Copyes by Direction of master [Edward] white warden vnder his hand wrytinge. These [12] Copyes following beinge thinges formerlye printed and sett over to the sayd Thomas Pavyer . . .

An Interlude Called Edward Longe Shankes. vjd"

*Remarks:* Greg writes, "On 14 August 1600, White made over the play to Thomas Pavier. . . ." However, *William White's* name does not appear in the entry, although it was undoubtedly he who transferred the play to Pavier. For the August 14, 1600, assignment, see *Remarks* in *Henry V* below.

### *Orlando Furioso*

SR December 7, 1593 (II, p. 641): "John Danter. Entred for his copie under thandes of the wardens, a plaie booke, intituled, the historye of Orlando ffurioso. one of the xij peeres of Ffraunce. vjd"

[in margin:] "This copie is put over by the consent of John Danter to Cuthbert Burbye. vt patet. 28. maij. 1594."



SR May 28, 1594 (II, p. 650): "Cuthbert Burbye. Entred for his copie by consent of John Danter. and by warraunt from Master warden Cawood vnder his hande. A booke entytuled. The historie of Orlando furioso. &c Prouided alwaies, and yt is agreed that soe often as the same booke shalbe printed. the said John Danter to have thimpryntinge thereof. vjd"

Q 1: "Printed by Iohn Danter for Cuthbert Burbie, and are to be sold at his shop nere the Royall Exchange. 1594."

Q 2: "Imprinted at London by Simon Stafford, for Cuthbert Burby: And are to be sold at his shop neere the Royall Exchange. 1599."

SR October 16, 1609 (III, pp. 420-21): "Master Welby. Assigned over vnto him by mistres Burby in full Court holden this daye and with the consent of the master wardens and Assistentes here present in Court All her right in these copies followinge vnder this condycon that yf there shalbe found any indirecte Dealinge herein by any of the parties to the same Then these copies [38 items listed] to be at the disposicon of the. Company and this entrance to be void. xix s . . . 26. pynner of Wakefield Orlando the play . . ."

SR March 2, 1618 (III, p. 621): "Master Snodham. Assigned over vnto him by master Welbey with Consente of the master and wardens all his Right in theis Copies followinge [43 items listed]. xxjs . . . Orlando. the play . . ."

SR February 23, 1626 (IV, pp. 152-53): "Master Stansby. Assigned ouer unto him by vertue of a note vnder the hand of Mistris Snodham shewed vnto a Court holden this Daye all her estate in the said Copies following . . . xxxs . . . Orlando the play . . ."

SR March 4, 1639 (IV, pp. 458-60): "Master Bishop. Assigned over vnto him by vertue of a deed of bargaine and sale vnder the hand and seale of William Stansby lately deceased and alsoe by vertue of a note vnder the hande and seale of Elizabeth Stansby the widdow of the said William these Copies and partes of Copies following which were the Copies of the said william. saluo Jure cuiuscunque. xxvijs. vjd . . . Orlando. the. play . . ."

## II Henry VI

SR March 12, 1594 (II, p. 646): "Thomas Myllington. Entred for his copie vnder the handes of bothe the wardens, a booke intituled, the firste parte of the Contention of the twoo famous houses of York and

Lancaster with the deathe of the good Duke Humfrey and the banishment and Deathe of the Duke of Suffolk and the tragicall ende of the prowd Cardinall of Winchester, with the notable rebellion of Jack Cade and the Duke of Yorkes ffirste clayme vnto the Crowne. vjd"

Q 1: "Printed by Thomas Creed, for Thomas Millington, and are to be sold at his shop vnder Saint Peters Church in Cornwall. 1594."

Q 2: "Printed by Valentine Simmes for Thomas Millington, and are to be sold at his shop vnder S. Peters church in Cornewall. 1600."

SR April 19, 1602 (III, p. 204): "Thomas Pavier. Entred for his copies by assignement from Thomas Millington these bookes folowinge, Saluo Jure cuiuscunque . . .

The first and Second parte of Henry the VI ij bookes. xij  
. . . Entred by warrant vnder master [warden] Setons hand."

Q 3 (*The Whole Contention*): "Printed at London, for T. P." [1619].

*First Folio*: "Printed by Isaac Iaggard, and Ed. Blount. 1623."

Colophon: "Printed at the Charges of W. Jaggard, Ed. Blount, I. Smithweeke, and W. Aspley, 1623."

SR August 4, 1626 (IV, p. 164): "Edward Brewster Robert Birde. Assigned ouer vnto them by Mistris Pavier and Consent of a full Court of Assistentes all the estate right title and Interest which Master Thomas Pavier her late husband had in the Copies here after mentioned. xxvijs

. . . Master Paviers right in Shakesperes plaies or any of them . . ."

SR November 8, 1630 (IV, p. 242): "Richard Cotes. Assigned ouer vnto him by master Bird and Consent of a full Court holden this day All his estate right and interest in the Copies hereafter menconed. iijs  
. . . Yorke and Lancaster . . ."

*Second Folio*: Variant imprints read "Printed by Tho. Cotes, for Robert Allot, and are to be sold at his shop at the signe of the black Beare in Pauls Church-yard. 1632." or ". . . for William Aspley *etc.*," . . . "for Richard Hawkins *etc.*" ". . . for Richard Meighen *etc.*," ". . . for Iohn Smethwick *etc.*" Colophon: "Printed at London by Thomas Cotes, for John Smethwick, William Aspley, Richard Hawkins, Richard Meighen, and Robert Allot, 1632."

*Remarks*: (a) The printer and probably the bookseller of Q 3, one of the group of texts now known as the 1619 quartos, was William Jaggard. (b) A good text was published in the First Folio, 1623. (c) Mistress Pavier's assignment on August 4, 1626, to Brewster and Birde is none too clear. The assignments in this entrance that deal with Shakespeare copyrights are:

- [2] The history of Henry the Fift, and the play of the same
- [10] Master Paviers right in Shakesperes plaies or any of them<sup>3</sup>
- [30] Tytus and Andronicus

Birde's assignment to Richard Cotes makes clear what the tenth item included—"Yorke and Lancaster" and "Pericles."<sup>4</sup>

### *The Famous Victories of Henry V*

SR May 14, 1594 (II, p. 648): "Thomas Creede. Entred for his copie vnder thande of master Cawood warden, a book intituled, The famous victories of Henrye the ffyft, conteyninge the honorable battell of Agincourt. vjd C"

Q 1: "Printed by Thomas Creede. 1598."

Q 2: { "Imprinted by Barnard Alsop, and are to be sold by Tymothie Barlow, at his shop in Paules Churchyard, at the signe of the Bull-head. 1617."  
 "Imprinted by Barnard Alsop, dwelling in Garter place in Barbican, 1617."

*Remarks:* (a) In 1616 Alsop became the partner and in 1617 the successor of Creede.<sup>5</sup> (b) The title page of Q 2 reads, "As it was Acted by the Kinges Maiesties Seruants." Alsop was evidently trying to convey the impression that the play he printed was Shakespeare's *Henry V*. (c) The best argument against the theory that an earlier Q than 1598 existed is the fact that the earliest extant Q of *James IV*, entered by Creede on the same day he entered *Famous Victories*, is also dated 1598; the style of its imprint is the same as that of *Famous Victories*, "Printed by Thomas Creede. 1598."

### *The True Tragedy of Richard III*

SR June 19, 1594 (II, p. 654): "Thomas Creede. Entred for his copie vnder master warden Cawoodes hand, an enterlude intituled. The Tragedie of Richard the Third wherein is shoven the Death of Edward the ffourthe, with the smotheringe of the twoo princes in the Tower. with a lamentable end of Shores wife, and the Coniunction of the twoo houses of Lancaster and Yorke. vjd C"

Q: "Printed by Thomas Creede, and are to be sold by William Barley, at his shop in Newgate Market, neare Christ Church doore. 1594."

*George a Greene*

SR April 1, 1595 (II, p. 295): "Cutbert Burbye. Entred for his copie under the wardens handes an Enterlude called the Pynder of Wakefeilde. vjd"

Q: "Imprinted at London by Simon Stafford, for Cuthbert Burby: And are to be sold at his shop neere the Royall Exchange. 1599."

*Remarks:* This occurs in conjunction with *Orlando Furioso* in assignments. For the full entrances, see that play. It was assigned by Widow Burby to Welby on October 16, 1609 (III, pp. 420-21); by Welby to Snodham on March 2, 1618 (III, p. 621); by Widow Snodham to Stansby on February 23, 1626 (IV, pp. 152-53); and by Widow Stansby to Bishop on March 4, 1639 (IV, pp. 458-60).

*III Henry VI*

Q 1: "Printed at London by P. S. for Thomas Millington, and are to be sold at his shoppe vnder Saint Peters Church in Cornwal. 1595."

Q 2: "Printed at Londou [*sic*] by W. W. for Thomas Millington, and are to be sold at his shoppe vnder Saint Peters Church in Cornewall. 1600."

From this point, the copyright and bibliographical histories of *II* and *III Henry VI* are the same. See *II Henry VI*.

*Remarks:* (a) Peter Short printed Q 1 and William White Q 2 (STC). (b) It will be noticed that Millington assigned to Pavier "The first and Second parte" instead of the second and third part. This accounts for the appearance of "The thirde parte of Henry ye sixt" among the sixteen plays entered by I. Jaggard and Blount on November 8, 1623 (IV, p. 107), and in Blount's assignment of his part in these sixteen plays to Allot on November 16, 1630 (IV, p. 243). In the Stationers' Registers, therefore, *I Henry VI* = the third part; *II Henry VI* = the first part; and *III Henry VI* = the second part. (c) A good text of the play appeared in the First Folio, 1623.

*A Knack to Know an Honest Man*

SR November 26, 1595 (III, p. 54): "Cutbert Burbye. Entred for his Copie vnder the wardens handes. a booke intituled The most Rare and plesaunt historie of A knack to knowe an honest man. vjd"

*Q*: "Printed for Cuthbert Burby, and are to be solde at his shop by the Royall Exchange. 1598."

*Remarks*: The printer appears to have been Thomas Scarlet, whose device (McKerrow, No. 280) the title page bears. See Greg, *BEPD*, p. 225.

*Romeo and Juliet*

*Q* 1: "Printed by Iohn Danter. 1597."

*Q* 2: "Newly corrected, augmented, and amended . . . Printed by Thomas Creede, for Cuthbert Burby, and are to be sold at his shop neare the Exchange. 1599."

*SR* January 22, 1607 (III, p. 337): "Master Linge. Entred for his copies by direcon of A Court and with consent of Master Burby vnder his handwrytinge These iij copies . . .

Romeo and Juliett . . . xvij R"

*SR* November 19, 1607 (III, p. 365): "John Smythick. Entred for his copies vnder thandes of the wardens. these [16] bookes followinge Whiche dyd belonge to Nicholas Lynge . . .

10 Romeo and Julett. vjd"

*Q* 3: "Printed for Iohn Smethwick, and are to be sold at his Shop in Saint Dunstanes Church-yard, in Fleetestreete vnder the Dyall. 1609."

*First Folio* (Colophon): "Printed at the Charges of W. Jaggard, Ed. Blount, I. Smithweeke, and W. Aspley, 1623."

*Second Folio* (Colophon): "Printed at London by Thomas Cotes, for John Smethwick, William Aspley, Richard Hawkins, Richard Meighen, and Robert Allot, 1632."

*Q* 4: "Printed for Iohn Smethwicke, and are to bee sold at his Shop in Saint Dunstanes Church-yard, in Fleetestreete vnder the Dyall."

*Q* 5: "Printed by R. Young for John Smethwicke, and are to be sold at his Shop in St. Dunstons Church-yard in Fleet-street, under the Dyall. 1637."

*SR* August 24, 1642 (Eyre, I, p. 50): "Francis Smethwick. Entred for his Copies by order of a full Cort holden this day all these [18] copies hereafter menconed the which did belong unto Mr John Smethwick his late father deceased salvo iure cuiuscunque. ix

. . . Romeo and Juliett . . . ."

*SR* September 14, 1642 (Eyre, I, p. 82): "Master Flesher. Assigned ouer vnto him by vertue of a Note vnder the hand and seale of Francis

Smethwick and subscribed by both the Wardens all the estate right Title and interest wch. the said Francis hath in these [17] copies hereafter following the wch did lately belong vnto Mr John Smethwick his father deceased. viijs vjd

. . . Romeo and Juliett . . . ."

*Remarks:* (a) Q 2 is a good quarto. Danter's widow is to be found assigning copyrights in 1599 and 1600 (III, pp. 153, 173). One need not hold, therefore, that the copyright in *Romeo and Juliet* was derelict in 1599. An unregistered transfer from Mistress Danter to Burby could be assumed. If Burby came into possession of Danter's copyright, then his publishing the good text was dependent on copyright in the play based on publication of the bad quarto. (b) The initial "R" after the January 22, 1607, entry will be found after many 1606-7 entries. I do not know what it stands for. It may mean "Received." (c) I have placed undated Q 4 after the dates 1623 and 1632, although it may have been printed in any year between Q 3 and Q 5.

### *Richard III*

SR October 20, 1597 (III, p. 93): "Andrew wise. Entred for his copie vnder thandes of master Barlowe, and master warden man. The tragedie of kinge Richard the Third with the death of the Duke of Clarence. vjd"

Q 1: "Printed by Valentine Sims, for Andrew Wise, dwelling in Paules Church-yard [*sic*] at the Signe of the Angell. 1597."

Q 2: "Printed by Thomas Creede, for Andrew Wise, dwelling in Paules Church-yard, at the signe of the Angell. 1598."

Q 3: "Printed by Thomas Creede, for Andrew Wise, dwelling in Paules Church-yard, at the signe of the Angell. 1602."

SR June 25, 1603 (III, p. 239): "Mathew Lawe. Entred for his copies in full courte Holden this Day. These ffyve copies folowinge. ijs vjd

viz

iiij enterludes or playes

The first is of Richard the . 3 . . .

all whiche by consent of the Company are sett ouer to him from Andrew Wyse"

Q 4: "Printed by Thomas Creede, and are to be sold by Mathew Lawe, dwelling in Paules Church-yard, at the Signe of the Foxe, neare S. Austins gate, 1605."

Q 5: "Printed by Thomas Creede, and are to be sold by Mathew Lawe, dwelling in Pauls Church-yard, at the Signe of the Foxe, neere S. Austins gate, 1612."

Q 6: "Printed by Thomas Purfoot, and are to be sold by Mathew Lawe, dwelling in Pauls Church-yard, at the Signe of the Foxe, neere S. Austines gate. 1622."

*First Folio* (Colophon): "Printed at the Charges of W. Jaggard, Ed. Blount, I. Smithweeke, and W. Aspley, 1623."

Q 7: "Printed by Iohn Norton, and are to be sold by Mathew Law, dwelling in Pauls Church-yard, at the Signe of the Foxe, neere St. Austines gate, 1629."

*Second Folio* (Colophon): "Printed at London by Thomas Cotes, for John Smethwick, William Aspley, Richard Hawkins, Richard Meighen, and Robert Allot, 1632."

Q 8: "Printed by Iohn Norton. 1634."

*Remarks:* (a) The quartos after 1623 do not utilize the First Folio good text but reprint the bad text. (b) Observe the somewhat unusual phenomenon of "sold by" meaning "for" in the imprints of Qq 4, 5, 6, and 7. (c) In his will, which was proved on November 26, 1629, Law "left everything to his wife, Joyce, who was a widow at the time he married her, with instructions that she was to deliver 'unto myne and her owne children Mathewe Law and Alice Norton' such portions of his small estate as she thought good. Joyce was the name of the widow of John Norton, the bookseller, who died in 1612, but there is no mention of any daughter, Alice, in his will."<sup>6</sup> This may explain the imprint of Q 8. John Norton had printed Q 7 of *Richard III* for Law in 1629. In the same year that he printed and published Q 8 of this play, he also printed and published Q 6 of *Richard II*, the copyright of which had also belonged to Law. This John Norton, a printer in London 1621-45,<sup>7</sup> was in partnership with Nicholas Okes in 1634 and with John Okes in 1635 (III, pp. 703-4).

### *The Massacre at Paris*

*Octavo:* "Printed by E. A. for Edward White, dwelling neere the little North doore of S. Paules Church, at the signe of the Gun."

*Remarks:* (a) E. A. is Edward Allde who used the device on the title page from 1592 to 1626 (McKerrow, No. 290). (b) White's text is undated. Because "many very corrupt versions came on to the market [in 1594] in consequence of the disorganization of the companies by the plague of 1592-3"; because none of the plays "printed as having

been performed by the Admiral's Company, from *Tamburlaine* in 1590 to *Doctor Faustus* in 1604 . . . bear date between 1594 and 1598"; and because among the eleven plays belonging to the Admiral's men which were printed from 1598 onward, the company is designated ten times by the later title of its patron (the Earl of Nottingham) and but once (in *Look About You*, 1600) by the earlier title on the title page of the *Massacre*, Greg inclines toward the date 1594 as the most likely one in which the octavo appeared.<sup>8</sup> He notes, however, that the extant text contains in line 1220, "Yet *Caesar* shall goe forth" a verbatim parallel with *Julius Caesar* (II.ii.28). "It is pretty clear that the borrowing was on the part of *The Massacre*, and since Marlowe was not given to repeating lines either from his own works or others', we may suppose that the echoes were introduced either by actors in performance or by a reporter in his reconstruction of the play . . . . If the borrowing was from Shakespeare's play as preserved, it implies a date for the printing of *The Massacre* hardly before 1600: on the other hand, it is possible that Shakespeare took the phrase . . . from some earlier play on the same subject, or even that, as some have supposed, an earlier version of Shakespeare's play once existed."<sup>9</sup> It seems to me that the argument for the early date is weak. It is known that many bad quartos came *after* 1594. The phenomenon of echoes of other plays in bad quartos has long been recognized. As Chambers shows, the suggestions that Shakespeare revised an early play of his own or of another dramatist are utterly without foundation.<sup>10</sup> Since, therefore, *Julius Caesar* was most probably not written before 1599,<sup>11</sup> the weight of evidence indicates that the bad text of the *Massacre at Paris* came into being during or after 1599. Since Edward White does not appear to have published plays after 1605-6, I date the publication of the octavo between 1599 and 1606. (c) I infer that Edward White Junior inherited his father's copies without benefit of an assignment in the Registers. On December 13, 1620 (IV, p. 44), he assigned T. Pavier and J. Wright copies which had been his father's.

### *Henry V*

SR (III, p. 37):

4. Augusti [1600]

As you like yt. a booke Henry the sift. a booke Euery man in his humour. a booke The commedie of muche A doo about nothing. a booke	}	to be staid
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Q 1: "Printed by Thomas Creede, for Tho. Millington, and Iohn Busby. And are to be sold at his house in Carter Lane, next the Powle head. 1600."

SR August 14, 1600 (III, p. 169): "Thomas Pavyer. Entred for his Copyes by Direction of master [Edward] white warden vnder his hand wrytinge. These [12] Copyes followinge beinge thinges formerlye printed and sett over to the sayd Thomas Pavyer . . . The historye of Henry the Vth with the battell of Agencourt. vjd . . ."

Q 2: "Printed by Thomas Creede, for Thomas Pauier, and are to be sold at his shop in Cornhill, at the signe of the Cat and Parrets neare the Exchange. 1602."

Q 3: "Printed for T.P. 1608." [1619].

*First Folio* (Colophon): "Printed at the Charges of W. Jaggard, Ed. Blount, I. Smithweeke, and W. Aspley, 1623."

SR August 4, 1626 (IV, p. 164): "Edward Brewster Robert Birde. Assigned ouer vnto them by Mistris Pavier and Consent of a full Court of Assistentes all the estate right title and Interest which Master Thomas Pavier her late husband had in the Copies here after mentioned. xxviijs

. . . The history of Henry the Fift and the play of the same . . . Master Paviers right in Shakesperes plaies or any of them . . ."

SR November 8, 1630 (IV, p. 242): "Richard Cotes. Assigned ouer vnto him by master Bird and Consent of a full Court holden this day All his estate right and interest in the Copies hereafter menconed. iiijjs Henrye the Fift . . .

Agincourt . . ."

*Second Folio* (Colophon): "Printed at London by Thomas Cotes, for John Smethwick, William Aspley, Richard Hawkins, Richard Meighen, and Robert Allot, 1632."

*Remarks:* (a) I discuss the "staying" of *Henry V* in my last chapter. (b) Greg believes that the address in the imprint of Q 1 is that of Busby.<sup>12</sup> (c) It seems to me that we have been a little too sure that it was the *play* of *Henry V* which was turned over to Pavier on August 14, 1600. It will be noticed that the 1626 assignment differentiates between "The history of Henry the Fift" and "the play of the same," and that the 1630 transfer distinguishes between "Henrye the Fift" and "Agincourt." It could be assumed therefore that Pavier owned two copyrights dealing with *Henry V*: one Shakespeare's play and the other a prose (?) history. Now to compare the 1600 assignment with the 1626 one: in the first, the following items are found in this order:

The Pathway to knowledge. vjd

The historye of Henry the Vth with the battell of Agencourt. vjd  
The Spanishe Tragedie. vjd

In the 1626 entry the first three items are:

The pathway to the Knowledg of Arithmaticke  
The history of Henry the Fift and the play of the same  
The Spanish tragedie

It would seem from this that "the play of the same" was different from the "historye" which was assigned to Pavier on August 14, 1600, and that the former copyright was acquired subsequent to August 14, 1600. But perhaps "with" (1600) meant the same as "and" (1626) and "the battell of Agencourt" (1600) meant "the play of the same" (1626).

Greg cuts through the difficulty by stating that "it is in fact unlikely that more than one work was in question."<sup>18</sup> I adhere to the conventional view that on August 14, 1600, Pavier acquired the copyright to Shakespeare's *Henry V*. (d) It is of more than passing interest to trace the former owners of the copyrights which Pavier acquired August 14, 1600. Here is the complete list:

- I. The Pathway to knowledge
- II. The historye of Henry the Vth with the battell of Agencourt
- III. The Spanish Tragedie
- IV. An Interlude Called Edward Longe Shankes
- V. The fyrste parte of the gentill Crafte
- VI. An Interlude of Jack Strawe
- VII. Mother Redcaps Will and Testament
- VIII. Webbs Travelles
- IX. Hasletons Travelles
- X. The lookinge glass for London
- XI. Solempne passion of the Soules love
- XII. Godes Arrowe Against Atheistes

I. *The Pathway to knowledge*.—This was entered to T. Nelson on May 31, 1592 (II, p. 613), provided no other stationer had "interest to this booke by any former entrance or right." Nelson's last entry was made on August 14, 1592 (II, p. 619). *STC* 19799 records an edition in 1596 "for W. Barley."

II. *The historye of Henry the Vth*.—If this refers to Shakespeare's play, Pavier may have procured the copyright from Millington and Busby or, as the late Crompton Rhodes suggested,<sup>14</sup> from Creede on the basis of the latter's copyright in the source play, *The Famous Victories*. In the case of *The Taming of the Shrew*, it is known that *The Taming of A Shrew* and Shakespeare's play were considered from the stationer's viewpoint as a single copyright.<sup>15</sup> It is also known that the owner of a copyright who was a printer would sometimes use "for" instead of "and to be sold by." Shaaber has discovered some sixty

examples of such an imprint in the period being studied; most occur between 1580 and 1610.<sup>16</sup> "Printed by Thomas Creede, for Tho. Milington, and Iohn Busby" on the title page of Q 1 may mean that Creede was the owner of the copyright and publisher. If Creede believed that he owned copyright in Shakespeare's play on the basis of *Famous Victories*, he would feel under no compulsion to enter the former. It might be argued, however, that Creede could not have assigned the copyright of *Famous Victories* to Pavier, for Alsop (Creede's partner and successor) printed and published this play in 1617. In the same year, however, Alsop also printed and published *A Looking Glass for London and England*, which also appears in the August 14, 1600, assignment to Pavier.

III and IV. *The Spanish Tragedie, Edward Longe Shankes*.—These copies had been transferred by Jeffes to William White on August 13, 1599 (III, p. 146).

V. *The fyrste parte of the gentill Crafte*.—"A booke called the gentle crafte intreatinge of Shoemakers" was entered to Ralph Blore (or Blower) on October 19, 1597 (III, p. 93). Hazlitt entered in his *Handbook*, p. 152:

The Gentle Craft. A most merry and pleasant Historie, not altogether vnprofitable, nor any way hurtfull: very fit to passe away the tediousness of the long winters evenings. Lond. for Edward White, 1598. 4 to, black letter. In Two Parts.

Esdaile accepts the edition, referring to Hazlitt.<sup>17</sup> *STC* does not list it. A recent editor does not mention it.<sup>18</sup> Lange wrote:

In the absence of any trace of evidence to the contrary, it may be regarded as reasonably certain that this entry [of Blore] refers to the shoemaker stories by Thomas Deloney . . . How soon after registration the first issue left the press remains a matter of inference. . . . No copy of any 1597 edition, however, if such there was, has been preserved. Nor is there any record of a transfer of rights from Ralph Blower to Edward White, who, according to Hazlitt, brought out the Gentle Craft, in two parts, during 1598. There is room, however, for doubting the accuracy of Hazlitt's statement, so far as it concerns the first part. The title he gives is virtually identical with that of the second part as reprinted in 1639 by Elizabeth Purslow. His note: "no perfect copy known", leaves it quite uncertain whether the information he had warranted the conclusion that White published the whole, and not merely the second part. At any rate, the two parts did not originally appear as one edition, for in the dedicatory address prefixed to the second part Deloney speaks of this as a sequel, due to the success of the first part and to his promise to continue his biographies of famous shoemakers. It is safe to conclude, therefore, that the first part came out late in 1597 or early in 1598. The second soon followed, published by Edward White possibly in conjunction with a new edition of the first part,

the whole work retaining the original title. The first part, however, as several of the later reprints show, continued to be published simply as the *Gentle Craft*, i.e. without reference on the title-page to a sequel.<sup>19</sup>

Lange's reasoning on the basis of the title pages is cogent when one remembers that invariably printers followed the preceding edition. The title page of the earliest extant edition of the second part reads,

The Gentile Craft. The second Part. Being a most merrie and pleasant Historie, not altogether vnprofitable nor any way hurtfull: verie fit to passe away the tediousnesse of the long winter evenings. By T. D. . . London, Printed by Elizabeth Purslow . . . 1639.

The title page of the 1648 edition of the first part reads:

The Gentle Craft. A Discourse Containing many matters of Delight, very pleasant to read: Shewing what famous men have been Shoemakers in time past in this Land, with their worthy deeds and great Hospitality. Set forth with Pictures, and variety of Wit and Mirth. Declaring the cause why it is called The Gentle Craft: and also how the Proverb first grew. A Shoemakers Son is a Prince born. T.D. . . London, Printed for John Stafford . . . 1648.

I am very much afraid that Hazlitt created a ghost edition; and I think he did this by assuming that a book entered in October would be printed the following year, and by assuming that it was Edward White who assigned the copy to Pavier on August 14, 1600.<sup>20</sup> In other words, it is not known who assigned V to Pavier.

VI. *Jack Strawe*.—This was entered by Danter on October 23, 1593 (II, p. 639). In 1593 (Colophon: 1594) an edition appeared "Printed at London by Iohn Danter, and are to be solde by William Barley." Pavier published an edition in 1604.

VII. *Mother Redcaps Will and Testament*.—This was entered by Creede on March 10, 1595 (II, p. 293).

VIII. *Webbs Travelles*.—This was entered by William Wright on May 19, 1590 (II, p. 547), and published by him in the same year (STC 25152). An undated edition was published "before 1595," "A. J[effes] for W. Barley" (STC 25153). An undated edition was printed by R. Blower for Pavier (STC 25154).

IX. *Hasletons Travelles*.—This was published in 1595, "A. J[effes] for W. Barley" (STC 12925).

X. *The lookinge glass for London*.—This play was entered by Creede on March 5, 1594 (II, p. 645). The imprints of the 1594 and 1598 quartos read "Printed by Thomas Creede, and are to be sold by William Barley." The imprint of the 1602 Q reads "Printed by Thomas Creede, for Thomas Pauier."

XI. *Solempne passion of the Soules love* (called in the first edition

*Marie Magdalens love*).—This book by Nicholas Breton was entered by Danter on September 20, 1595 (III, p. 48). It was printed by him the same year, to be sold by William Barley (STC 3665); in 1598 it was printed by Simon Stafford for William Barley (STC 3696).

XII. *Godes Arrowe Against Atheistes*.—This work by Henry Smith was entered to Danter on March 5, 1593 (II, p. 628), and was published in the same year, "J. Danter, sold by W. Barley" (STC 22666). Pavier published many editions (STC 22667 ff.).

One may conclude therefore that I, VIII, IX, and XI came to Pavier from Barley. Examination of XI reveals that although it was printed by Danter and sold by Barley in 1595, after Danter's death it was published for Barley. It may therefore be assumed that the latter also came into possession of VI and XII which also were printed by Danter and sold by Barley. Pavier, accordingly, obtained I, VI, VIII, IX, XI, and XII from Barley. From Creede he received VII and X. From William White, Pavier purchased III and IV. In the present state of uncertainty as to the early editions, one can say that Pavier may have received V from Blore, or from any stationer to whom Blore had sold the copyright without an assignment in the Register: William White, Barley, Creede, et cetera. It will be noticed that II and X go back to Creede. I have indicated that there are some grounds for believing that it was Creede and not Millington and Busby who sold Pavier the copyright of Shakespeare's *Henry V*. I may now point out that just as Creede printed X (*A Looking Glass for London and England*) for Pavier in 1602, so he printed Q 2 of *Henry V* for Pavier in 1602. Can it not at least be suggested that Creede, when he sold the publishing rights of *both* plays, reserved printing rights?

(e) I have shown earlier in this book that there are examples in the Registers of assignments in which no assigners' names are given. Thus the entrance-assignment to Pavier on August 14, 1600 ("Entred for his Copyes by Direction of master [Edward] white warden vnder his hand wrytinge. These [12] Copyes followinge beinge thinges formerlye printed and sett over to the sayd Thomas Pavyer") cannot be considered abnormal—however clever a device it may have been for overcoming the players, as I attempt to show in my last chapter. The closest analogy to the entry made on August 14, 1600, under Junior Warden Edward White's direction, is one which Warden White had made for himself ten months later. On July 3, 1601 (III, p. 187), is written: "master Whyte warden. Entred for his Copyes these thinges followinge viz Catheryne Stubes vjd. The scole of vertue vjd. Twenty Orders of Calettes and Drabes vjd. A handfull of Delights vjd. The huswyfes hand mayde for the kitchin vjd. The treasure of hidden Secretes vjd. The fyve and Twentye orders of knaues vjd." Now

these seven copies were also books which had been printed formerly and they must have been set over from Richard Jones,<sup>21</sup> who may have sold his printing business in 1598 as Sir John Lambe recorded (III, p. 702) but who was still entering copies in October, 1601 (III, p. 193), and June, 1602 (III, p. 206). (f) Q 3 belongs to the 1619 quartos; its date is false. (g) A good text of *Henry V* was first printed in the 1623 folio.

*The Merry Wives of Windsor*

SR January 18, 1602 (III, p. 199): "John Busby. Entred for his copie vnder the hand of master Seton, a booke called an excellent and pleasant conceited commedie of Sir Iohn Ffaulstof and the merry wyves of Windesor. vjd

Arthure Johnson. Entred for his Copey by assignement from John Busbye, A booke called an excellent and pleasant conceyted Comedie of Sir John Ffaulstafe and the merye wyves of Windsor. vjd"

Q 1: "Printed by T. C. for Arthur Johnson, and are to be sold at his shop in Powles Church-yard, at the signe of the Flower de Leuse and the Crowne. 1602."

Q 2: "Printed for Arthur Johnson, 1619."

*First Folio* (Colophon): "Printed at the Charges of W. Jaggard, Ed. Blount, I. Smithweeke, and W. Aspley, 1623."

SR January 29, 1630 (IV, p. 227): "Master Meighen. Assigned ouer vnto him by master Johnson and Consent of Master Purfoote Warden, All the said master Johnsons estate in the 4 Copies hereafter menconed . . . ijs . . ."

The merry Wives of Winsor . . . ."

Q 3: "Newly corrected . . . Printed by T. H. for R. Meighen, and are to be sold at his Shop, next to Middle-Temple Gate, and in S. Dunstons Church-yard in Fleet-street, 1630."

*Second Folio* (Colophon): "Printed at London by Thomas Cotes, for John Smethwick, William Aspley, Richard Hawkins, Richard Meighen, and Robert Allot, 1632."

On November 7, 1646 (Eyre, I, p. 252), the play was entered to Meighen's widow and Gabriell Bedell.

*Remarks:* (a) Thomas Creede printed Q 1 (STC). (b) A good text appeared in the First Folio, 1623. (c) Q 3 was printed from the folio text. If the "Newly corrected" was honestly intended, it probably referred to the fact that this was the first *quarto* with a sound text. (d) T. Harper was the printer of Q 3 (STC).

*Hamlet*

SR July 26, 1602 (III, p. 212): "James Robertes. Entred for his Copie vnder the handes of master Pasfeild and master waterson warden A booke called the Revenge of Hamlett Prince Denmarke as yt was latelie Acted by the Lord Chamberleyne his servantes. vjd"

Q 1: "At London printed for N. L. and Iohn Trundell. 1603."

Q 2: "Newly imprinted and enlarged to almost as much againe as it was, according to the true and perfect Coppie . . . At London, Printed by I.R. for N.L. and are to be sold at his shoppe vnder Saint Dunstons Church in Fleetstreet. 1604."

SR November 19, 1607 (III, p. 365): "John Smythick. Entred for his copies vnder thandes of the wardens. these [16] bookes following Whiche dyd belonge to Nicholas Lynge . . .

6 A booke called Hamlett. vjd . . ."

Q 3: "Printed for Iohn Smethwicke, and are to be sold at his shoppe in Saint Dunstons Church yeard in Fleetstreet. Vnder the Diall. 1611."

*First Folio* (Colophon): "Printed at the Charges of W. Jaggard, Ed. Blount, I. Smithweeke, and W. Aspley, 1623."

*Second Folio* (Colophon): "Printed at London by Thomas Cotes, for John Smethwick, William Aspley, Richard Hawkins, Richard Meighen, and Robert Allot, 1632."

Q 4: "Printed by W. S. for Iohn Smethwicke, and are to be sold at his shop in Saint Dunstons Church-yard in Fleetstreet: Vnder the Diall."

Q 5: "Printed by R. Young for John Smethwicke, and are to be sold at his Shop in Saint Dunstons Church-yard in Fleetstteet [*sic*], under the Diall. 1637."

SR August 24, 1642 (Eyre, I, p. 50): "Francis Smethwick. Entred for his Copies by order of a full Cort holden this day all these [18] copies hereafter menconed the which did belong unto Mr John Smethwick his late father deceased salvo iure cuiuscunque. ix

. . . Hamblett, a play . . ."

SR September 14, 1642 (Eyre, I, p. 52): "Master Flesher. Assigned ouer unto him by vertue of a Note vnder the hand and seale of Francis Smethwick and subscribed by both the Wardens, all the estate right Title and interest wch. the said Francis hath in these [17] Copies hereafter following the wch did lately belong unto Mr John Smethwick his father deceased. viijs vjd

. . . Hamblett, a play . . ."

*Remarks:* (a) "N.L." in the Q 1 imprint stands for Nicholas Ling;

"I.R." in the Q 2 imprint, for James Roberts. Valentine Simmes printed Q 1 and apparently Q 3 (*BEPD*, pp. 310-11). William Stansby printed Q 4 (*STC*). (b) Q 2 is a good text. (c) I have placed Q 4 after the dates 1623 and 1632, although it may have been printed in any year between Q 3 (1611) and Q 5 (1637).

### *Doctor Faustus*

SR January 7, 1601 (III, p. 178): "Thomas Busshell. Entred for his cōpye vnder the handes of master Doctor Barlowe, and the Wardens a booke called the plaie of Doctor Faustus. vjd"

Q 1: "Printed by V.S. for Thomas Bushell. 1604."

Q 2: "Imprinted at London by G.E. for Iohn Wright and are to be sold at Christ-church gate 1609."

SR September 13, 1610 (III, p. 442): "John Wrighte. Assigned ouer to him from Thomas Busshell and with Consent of master Adames warden vnder his hand, these 2 Copyes followinge. xijd . . . The tragicall history of the horrible life and Death of Doctor Ffaustus, written by C.M.:"

Q 3: "Imprinted at London by G.E. for Iohn Wright, and are to be sold at his shop at Christ Church gate. 1611."

Q 4: "Printed for Iohn Wright, and are to be sold at his shop without Newgate, at the signe of the Bible. 1616."

Q 5: "With new Additions . . . Printed for Iohn Wright, and are to be sold at his shop without Newgate, at the signe of the Bible. 1619."

Q 6: "Printed for Iohn Wright, and are to be sold at his shop without Newgate, at the signe of the Bible. 1620."

Q 7: "Printed at London for Iohn Wright and are to be sold at his shop without Newgate, 1624."

Q 8: "Printed at London for Iohn Wright, and are to be sold at his shop without Newgate. 1628."

Q 9: "Printed at London for Iohn Wright, and are to be sold at his shop without Newgate. 1631."

John Wright assigned the play to his brother, Edward, on June 27, 1646 (*Eyre*, I, p. 236). On April 4, 1655, Edward Wright assigned it to William Gilbertson (*ibid.*, I, p. 470). Gilbertson brought out an edition of the play in 1663, with a version somewhat different from that printed 1616-31.

*Remarks:* (a) The printer of Q 1 was Valentine Simmes; and the printer of Qq 2 and 3, George Eld. (b) The legend that appears on the



title pages of Qq 5-9, "With new Additions," should have appeared on Q 4. The 1616 quarto prints a version radically different from that of the preceding quartos. Qq 1-3 are the bad (or A) text. Qq 4-9 are the good (or B) text.

*The Fair Maid of Bristow*

SR February 8, 1605 (III, p. 283): "Thomas Pavyer. Entred for his copy vnder thandes of the Wardens. A commedy called the fayre Mayd of Bristoe played at Hampton Court by his Maiesties players. vjd"

Q: "Printed at Loudon [*sic*] for Thomas Pauyer, and are to be solde at his shop, at the entrance into the Exchange 1605."

*If You Know Not Me, You Know Nobody, PART I*

SR July 5, 1605 (III, p. 295): "Nathaniel Butter. Entred for his copy vnder the handes of master Hartwell master norton and master Leak. A booke called. yf you knowe not me you knowe no body. vjd"

Q 1: "Printed for Nathaniel Butter. 1605."

Q 2: "Printed for Nathaniel Butter. 1606."

Q 3: { "Printed for Nathaniel Butter. 1608."  
"Printed for Thomas Pauier. 1608."

Q 4: "Printed for Thomas Pauier. 1610."

Q 5: "Printed for Nathaniell Butter. 1613."

Q 6: "Printed for Nathanael Bvtter, 1623."

Q 7: "Printed by B. A. and T. F. for Nathanaell Butter. 1632."

Q 8: "Printed by I. Raworth for N. Butter. 1639."

SR May 21, 1639 (IV, p. 466): "Master flesher. Assigned over vnto him by vertue of a note vnder the hand and seale of Master Butter, subscribed by both the wardens and alsoe by order of a full Court holden the Eleaventh day of May last. All the Estate right title and interest which the said Master Butter hath in these [25] Copies and partes of Copies following . . . saluo iure cuiuscunque. xijs. vjd.

. . . If you know not mee, you know noe body The First and Second partes . . . ."

*Remarks:* (a) Evidently Butter had had the copy checked by the Warden before July 1, for Norton and Leake were the Wardens of the fiscal year ending that day. This is probably why the Clerk did not

simply add "and the Wardens" after the official licenser's name. (b) The imprint of Q 1 names no printer, but Miss Doran believes he was Thomas Purfoot because of an ornamental initial at the head of the text; it also appears in Qq 2, 3, 4, and 5. George Eld, she claims, was the printer of Q 6. "B. A." and "T. F." stand for Bernard Alsop and Thomas Fawcett.<sup>22</sup> (c) Miss Doran suggests that it is "possible, or even probable" that Butter and Pavier shared in the 1610 edition as well as in the 1608 "though no copy bearing his [Butter's] imprint is known."<sup>23</sup>

*Sir Thomas Wyatt*

Q 1: "Printed by E. A. for Thomas Archer, and are to be solde at his shop in the Popes-head Pallace, neere the Royall Exchange. 1607."

Q 2: "Printed for Thomas Archrr [sic], and are to be solde at his shop in the Popes head Pallace, neere the Royall Exchange. 1612."

*Remarks:* "E. A." in the Q 1 imprint stands for Edward Allde.

*King Lear*

SR November 26, 1607 (III, p. 366): "Nathanael Butter John Busby. Entred for their Copie under thandes of Sir George Buck knight and Thwardens A booke called. Master William Shakespeare his historye of Kinge Lear as yt was played before the kinges maiestie at Whitehall vppon Sainct Stephens night at Christmas Last by his maiesties servantes playenge vsually at the Globe on the Banksyde. vjd"

Q 1: "Printed for Nathaniel Butter, and are to be sold at his shop in Pauls Church-yard at the signe of the Pide Bull neere St. Austins Gate. 1608."

Q 2: "Printed for Nathaniel Butter. 1608." [1619].

*First Folio* (Colophon): "Printed at the Charges of W. Jaggard, Ed. Blount, I. Smithweeke, and W. Aspley, 1623."

*Second Folio* (Colophon): "Printed at London by Thomas Cotes, for John Smethwick, William Aspley, Richard Hawkins, Richard Meighen, and Robert Allot, 1632."

SR May 21, 1639 (IV, p. 466): "Master flesher. Assigned over vnto him by vertue of a note vnder the hand and seale of Master Butter, subscribed by both the wardens and alsoe by order of a full Court holden the Eleaventh day of May last. All the Estate right title and

interest which the said Master Butter hath in these [25] Copies and partes of Copies following . . . saluo iure cuiuscunque. xij. vjd.

. . . The history of King Lear. by William Shakespeare . . . ."

Q 3: "Printed by Jane Bell, and are to be sold at the East-end of Christ-Church. 1655."

*Remarks:* (a) Q 1 was printed by Nicholas Okes (*BEPD*, p. 399). (b) Q 2 belongs to the 1619 quartos: the date is false. (c) A good text appeared in the First Folio, 1623. (d) Q 3 is a reprint not of the folio text but of Q 2. Jane Bell printed and published this edition on the basis of an assignment to her of the old *King Lear*. See my paper, "How Jane Bell Came to Print the Third Quarto of Shakespeare's *King Lear*," *Philological Quarterly*, XVII (1938), pp. 308-11.

### *Pericles*

SR May 20, 1608 (III, p. 378): "Edward Blount. Entred for his copie vnder thandes of Sir George Buck knight and Master Warden Seton A booke called. The booke of Pericles prynce of Tyre. vjd

Edward Blunt. Entred also for his copie by the lyke Auctoritie. A booke Called. Anthony and Cleopatra. vjd."

Q 1: "Imprinted at London for Henry Gosson, and are to be sold at the signe of the Sunne in Pater-noster row, &c. 1609."

Q 2: "Imprinted at London for Henry Gosson, and are to be sold at the signe of the Sunne in Pater-noster row, &c. 1609."

Q 3: "Printed at London by S. S. 1611."

Q 4: "Printed for T. P. 1619."

SR August 4, 1626 (IV, p. 164): "Edward Brewster Robert Birde. Assigned ouer vnto them by Mistris Pavier and Consent of a full Court of Assistentes all the estate right title and Interest which Master Thomas Pavier her late husband had in the Copies here after mentioned. xxviij

. . . Master Paviers right in Shakespeares plaies or any of them . . . ."

Q 5: { "Printed by I. N. for R. B. and are to besould at his shop in  
Cheapside, at the signe of the Bible. 1630."  
"Printed by I. N. for R. B. 1630."

SR November 8, 1630 (IV, p. 242): "Richard Cotes. Assigned ouer unto him by master Bird and Consent of a full Court holden this day All his estate right and interest in the Copies hereafter menconed. iiij

. . . Pericles . . . ."

Q 6: "Printed at London by Thomas Cotes, 1635."

*Remarks:* (a) *Antony and Cleopatra* was first printed in the 1623 folio. It is among the sixteen plays entered by Blount and I. Jaggard on November 8, 1623 (IV, p. 107). (b) One of the printers of Qq 1 and 2 was William White (*BEPD*, p. 419). "S. S." in the Q 3 imprint stands for Simon Stafford; "T. P." on the Q 4 title page, for Thomas Pavier; "I. N." and "R. B." in the Q 5 imprint for John Norton and Robert Birde. (c) How Pavier came into possession of the copyright is not clear. There may have been an unentered assignment from Gosson to Pavier, or unentered assignments from Gosson to Stafford and from Stafford to Pavier. (d) A good text of *Pericles* was never published.

### *Philaster*

SR January 10, 1620 (III, p. 662): "Thomas Walkley. Entred for his copie vnder the handes of Master Tauernor and Master Jaggard warden A play called Philaster. vjd"

Q 1: "Printed at London for Thomas Walkley, and are to be sold at his shop at the Eagle and Child, in Brittaines Bursse. 1620."

Q 2: "The second Impression, corrected and amended . . . Printed for Thomas Walkley, and are to be solde at his shoppe, at the signe of the Eagle and Childe, in Brittaines Bursse. 1622."

SR March 1, 1628 (IV, p. 194): "Master Richard Hawkins. Assigned ouer vnto him by Thomas Walkley, and Consent of a Court holden this Day all the estate right title and Interest which he hath in these [3] copies following. xviiijd

. . . Philaster or love lies ableeding . . . ."

Q 3: "The Third Impression . . . Printed by A. M. for Richard Hawkins, and are to be sold at his Shop in Chancery-lane, adioyning Sarjeants Inne gate. 1628."

Q 4: "The fourth Impression . . . Printed by W. J. for Richard Hawkins, and are to be sold at his shop in Chancery-lane, adioyning to Sarjeants Inne gate. 1634."

SR May 29, 1638 (IV, p. 420): "Master Mead and Master Meredith. Entred for their Copies by order of a full Court held the fifth day of June Last according to the request of vrsula Hawkins widdow (late wife of Richard Hawkins deceased) then present in Court All these [25] Copies and parts of Copies following which did belong vnto her said husband as followeth. xijs. vjd.

. . . Philaster or loue lies a bleeding . a play . . . ."

SR January 25, 1639 (IV, p. 452): "Master William Leake. Assigned ouer vnto him by vertue of a warrant vnder the hands and seales of Master Mead and Master Meredith and with the Consent of a full Court of Assistants holden this day. All the Estate Right Title and Interest which the said master Mead and Master Meredith haue in these [24] Copies and partes of Copies following which were Entred vnto them from Mistris Hawkins the 29th of May last. xijs vjd.

. . . Philaster or Loue lyes a bleeding . a play . . . ."

Q 5: "The fourth Impression [*sic*] . . . Printed by E. Griffin for William Leake, and are to be sold at his shop in Chancerie Lane neere the Rowles. 1639."

Q 6: "The fifth Impression . . . Printed for William Leake, and are to be sold at his shop at the signe of the Crown in Fleet street, between the two Temple Gates . 1652."

Q 7: "The fifth Impression" [*sic*], for Leake, 1652.

Q 8: "The sixth Impression," for Leake [n.d.].

*Remarks:* (a) Walkley's second edition has a text different from that of his first. Q 2 is a good quarto. (b) According to *STC*, the printer's initials in Qq 3 and 4 stand for A. Mathews and W. Jones respectively.



## APPENDIX B

### TRADE BIOGRAPHIES OF THE PUBLISHERS OF THE BAD QUARTOS

The purpose of the following trade biographies is to show that the publishers of the bad quartos were typical stationers. Some were always law-abiding in the eyes of their guild; some were not. But their biographies show that there was no relation between (a) their publication of the maimed and deformed texts and (b) their trade status or record in the Stationers' Company.

These biographies are not to be understood as complete. Until a stationers' index for the *Short-Title Catalogue* appears, the knowledge of what the individual stationers printed, published, or sold will be limited. The best the scholar has now is Gray's index to W. C. Hazlitt's *Handbook* and subsequent collections (1867-89); this catalogues the names in the imprints of the books which Hazlitt treats. But, of course, Hazlitt is not trustworthy: he had the bad habit, for one thing, of transmuting entrances into books and thus creating ghost editions. My usual procedure has been to use Gray's index, find the book in Hazlitt, and then check Hazlitt against the *STC*. I have named Hazlitt a few times when I cannot find the item in *STC*, but only when he gives a collation. Using the *STC* is vexatious because of its lack of adequate cross references. For example, I could not discover how it lists the prose *Hamlet*. The *STC* is useful if one knows who wrote the book; it is almost useless if one does not have this knowledge but only has the title. Checking the stationers' entrances against the *STC* is very difficult because of the variation of nomenclature in titles and because the Registers rarely supply the author's name. Many of my items under the individual stationers are the result of luck, chancing upon the stationer's name in an imprint in the *STC* while searching for something else. In most cases I merely give the first edition without explanation that it was a first edition; if the edition was not the first, I say, "He published an edition of *etc.*"

For dramatic publication I have, of course, leaned heavily on Greg's invaluable first volume of *A Bibliography of the English Printed Drama to the Restoration* which goes to 1616 and on his earlier *A List of English Plays Written before 1643 and Printed before 1700*. I want to stress that "good" when used in the following pages in reference to a printed play does not, unless qualified, mean that the publication was either nonsurreptitious or surreptitious; it is merely used as a convenient term to describe the condition of the text. And "good" should not be understood in too qualitative a sense. It merely means that the text is not a reported one.

Although the biographies are not complete as to books published, I have tried to make them as complete as available documents allow concerning the guild activities of the individual stationer.

#### THOMAS ARCHER

Thomas Archer, bookseller 1603-31, entered none of the dramas he published. In 1607 he published the bad quarto of *Sir Thomas Wyatt*, a second edition of which appeared for him in 1612. But he published five good texts: in 1609, the anonymous *Every Woman in Her Humour*; in the same year, Robert Armin's *The Two Maids of More-clack*, which contains an epistle to the reader signed by the author; in 1611, *The Roaring Girl* which has an epistle "To the Comicke, Play-readers," signed "Thomas Middleton"; in 1612 Webster's *The White Devil*, containing an epistle by the author; in 1613 Marston's *The Insatiate Countess*, of which he published another edition in 1616. In 1616 Archer also published Middleton's "entertainment" for the occasion of Charles' becoming Prince of Wales, *Civitatís Amor*. In the last entry in which his name appears, February 10, 1631 (IV, p. 248), he assigned *The Roaring Girl*, *The White Devil*, and *The Insatiate Countess* to Hugh Perry.

Archer published much popular literature, many newsletters, translations of foreign edicts and proclamations, some short travel books, et cetera. He was interested—with Butter, Bourne, William Sheffard, Bartholomew Downes, Nathaniel Newberry—in the publication of the first English newspaper, the so-called "Weekly Newes," which ran from 1622 to 1632; he and these other stationers "seem to have formed a kind of news-publishing syndicate" which utilized continental sources, and were alive to the business opportunities of journalism.<sup>1</sup> Archer published two pamphlets which belong to the Dekker apocrypha, *Newes from Graues-end* (1604, STC 12199) and *The ravens almanacke* (1609, STC 6519). In 1607 he put out Samuel Rowland's *Diogenes lanthorne* (STC 21368); in 1613, Richard Johnson's *Looke on me London* (STC 14676). In 1614, he "sold" William Lithgow's *A most delectable and true discourse of peregrination in Europe, Asia, and Affrike* (STC 15710). Perhaps Archer's most famous book, and one which provoked many replies in its time, was Joseph Swetnam's *The arraignment of lewde, idle, froward, and unconstant women*; first published in 1615, it was reprinted for Archer in 1615, 1616, 1617, 1619, 1622, and 1628 (STC 23533-39). Archer, by the way, brought out one of the replies himself in 1617, Rachel Speght's *A mouzell for Melastomus* (STC 23057). Not all Archer's books were secular; in 1608 he



"sold" Thomas Tuke's *The treasure of true love* (Hazlitt, *Collections and Notes*, 1876, p. 428) and in 1609, the same author's *The picture of a true protestant* (STC 24313).

Edward Allde and Archer were in trouble in August, 1621, with the government for printing a pamphlet favoring the Elector Palatine, King James' son-in-law, against the Holy Roman Emperor, who had dispossessed him.<sup>2</sup> James was trying hard to be neutral at the time, although English feeling was on the Elector's side.<sup>3</sup> It is improbable that Secretary-of-State Calvert's command to have Archer imprisoned was actually carried out by the Stationers' Company.

#### WILLIAM BARLEY

William Barley, bookseller and printer of music 1591-1614, "sold" two bad quartos, the copyrights of which were owned by the respective printers. In 1593, Peele's *Edward I*, entered by Jeffes, was printed by the latter and sold by Barley; in 1594, *The True Tragedy of Richard the Third*, entered by Creede, was printed by him and sold by Barley. Barley also "sold" the following apparently good texts, the copyrights of which were owned by the respective printers: *Jack Straw*, Danter (II, p. 639), 1593; *The Pedler's Prophecy*, Creede (II, p. 649), 1595; and Lodge and Greene's *A Looking Glass for London*, Creede (II, p. 645), 1594. He also "sold" in 1595 William Warner's translation of Plautus' *Menaechmi*; this had been entered by Creede (II, p. 653) and was printed by him. Barley "sold" various pamphlets for these printers too; for example, an issue of Nashe's *Strange newes of the intercepting certaine letters* was printed by Danter, to be sold by Barley in 1593 (STC 18378a); and *The Nobleness of the Asse*, printed by Creede and to be sold by Barley, 1595 (STC 1343).

Inquiry into Barley's career makes it plain that he really deserves the character of a "somewhat remarkable man."<sup>4</sup> He began by publishing the usual stock in trade of the Elizabethan bookseller: small pamphlets and broadsides on religion, morality, sea fights, tempests, witches, conny-catching, floods, executions, royal marriages and deaths, monstrous children, foreign events, et cetera.<sup>5</sup> Before 1595 he put out the travels of Edward Webbe (STC 25153) and in 1595, those of Richard Hasleton (STC 12925). Some of his more interesting and important books are: Thomas Watson's *The tears of fancie*, 1593 (STC 25122); Thomas Johnson's translations from the Latin, *Cornucopiae, or diuers secrets*, 1595 (STC 14707); *The delightful history of Celestina the faire*, 1596 (STC 4910), which Barley himself may have translated from the French; *The pathway to knowledge. conteyning certaine brief tables of English waights, and measures*, translated from Nicholaus Peters,

1596 (STC 19799); *Epulario*, a cookbook translated from the Italian, 1598 (STC 10433); Thomas Deloney's *Strange histories of kings, princes, etc.*, 1602 (as the assign of T. M[orley], STC 6566); Tristram White's *The martyrdome of Saint George of Cappadocia*, 1614 (STC 25409).

Barley, however, should be remembered chiefly for his role in early music publication. Byrd's music patent expired in 1596. Although Barley had no music type at the time, he used wood blocks to print *The pathway to musicke* (1596, STC 19464) and *A new booke of tabliture* (1596).<sup>6</sup> STC 1433 credits Barley himself with the authorship of the latter, but some of the lute pieces in it were by Dowland and were published without this composer's consent.<sup>7</sup> In 1598 Morley became the holder of the music privilege. The next year he engaged Barley to print music books at Morley's house in Little St. Helens and to sell them at Barley's shop in Gracious Street. In 1599 Barley printed and published four music books as the assign of Morley: John Bennet's *Madrigals* (STC 1881), John Farmer's *Madrigals* (STC 10697), Holborne's *Pauans etc.* (STC 13562), and Morley's *First booke of consort lessons* (STC 18131). (But, of course, Morley sold the right to print music to other stationers, too.) Morley died in 1602-3, and Barley appears to have taken over the music privilege.<sup>8</sup> Numerous music books appear after this with assignment from Barley in their imprints, and he himself continued to print and publish music.

Barley was not originally a member of the Stationers' Company but of the Drapers'. However, his name does not appear among the thirteen who transferred from the latter guild to the former in May and June, 1599 (II, pp. 723, 725-26), thus ending the grudge fight of the stationers against the individual members of the Drapers' Company who persisted in practising the stationers' trade. Barley had been openly drawn into this quarrel when pirated *Accidences* were found in March, 1598, in a house he had formerly occupied,<sup>9</sup> although examination of the available Star Chamber records reveals not a particle of solid evidence against him. At any rate, Barley probably became a member of the stationers' guild at some time between 1600 and 1609; in the latter year his name occurs among the entrances in the Register (III, p. 408).

During his questioning in the 1598 affair, when asked if he had ever been before the ecclesiastical court for printing or selling books unlawfully, he first answered that "he was at twoe or 3 tymes bounde before the highe Commissioners in causes ecclesiastycall concerning printinge or sellinge of bookes unlawfully...." Barley was finally able to remember that "the first tyme was for that he had sold a booke of ijd of her majestes progress to Cowdrie in Sussex & the second time was for that he had sold balladdes wherein the safe and happie retorn of the right

honorable therle of Essexe, Erle marshall of England was wished or prayed for when his honor went the Cales voyage."<sup>10</sup> The Registers show that in September, 1591 (I, p. 555), the Wardens laid out money for drawing up a warrant for Barley because of "contempte"; and that on August 18, 1595 (II, p. 823), he was fined two pounds "for printinge iij ballades and a booke disorderly without licence or auctoritye." Barley was evidently made to sign the Register to indicate his agreement to the date of payment. One can but conclude that on a few early occasions Barley was guilty of some venial sins pursuant to his trade.

#### CUTHBERT BURBY

How very necessary it is to gather sufficient material before one comes to conclusions concerning Elizabethan stationers is illustrated by the following example. A. W. Pollard wrote:

That the second edition of *Romeo and Juliet*, printed in 1599 by Thomas Creed for Cuthbert Burby, was an authorized edition, printed with the goodwill of the players, there is good evidence. We have already met with Burby as one of the two men to whom Jonson's *Every Man in his Humor* was entered in August, 1600, a few days after the notice that it was to be 'stayed.' In 1595 he had already entered and published the play of *Edward III*, which, whether Shakespeare had a hand in it or not, belonged to the Chamberlain's men. We shall have soon to speak of his edition of *Loves Labors Lost*. The editions with which he is connected all have good texts, and this second edition of *Romeo and Juliet* is no exception to the statement.<sup>11</sup>

That there is not an atom of real evidence that *Edward III* belonged to Shakespeare's company should not be the present concern, nor that the Admiral's men bribed Burby in March, 1600, not to publish the play *Patient Grissell*. What is important is that Burby published no less than three bad quartos which are still extant: *Orlando Furioso* (1594), *A Knack to Know an Honest Man* (1598), and *George a Greene* (1599).

Pollard claimed that the good quarto of *Romeo and Juliet* was published "with the goodwill of the players." In 1599 and 1600 Danter's widow is found assigning copyrights. One need not hold, therefore, that in 1599 the copyright of *Romeo and Juliet* (the bad quarto of which had been printed and published by Danter in 1597) was derelict. Perhaps Burby purchased the copyright of the play from Mistress Danter. Perhaps, if Burby was preparing to reprint the corrupt *Romeo and Juliet* in 1599, the actors were forced to give him the good text in order to keep the mangled text off the bookstalls.

Burby published good texts as well as bad. Let me again list his bad quartos: *Orlando Furioso*, entered by Danter on December 7, 1593, assigned to Burby on May 28, 1594, Danter reserving printing

rights, and published in the same year; *George a Greene*, entered on April 1, 1595, but apparently not published until 1599; *A Knack to Know an Honest Man*, entered on November 26, 1595, and published three years later. In addition to the good text of *Romeo and Juliet* in 1599, Burby had brought out the year before another good text of Shakespeare, the extant quarto of *Love's Labor's Lost*. Other good play texts published by Burby are: *Edward III*, entered on December 1, 1595 (III, p. 55), and published in 1596; Lyly's *Mother Bombye*, entered on June 18, 1594 (II, p. 654), and published that year; Robert Wilson's *The Cobler's Prophecy*, entered on June 8, 1594 (II, p. 653), and published in the same year, "Iohn Danter for Cuthbert Burbie." On August 14, 1600 (III, p. 169), Burby and Walter Burre entered *Every Man in His Humour*; it was published in 1601, "for Walter Burre." On October 28, 1600 (III, p. 175), Burby and Burre entered Nashe's *Summer's Last Will and Testament*; it was published the same year, "for Walter Burre." Yet Burby had not sold his share in either play, for after his death his widow assigned her "parte with master Burre" in both plays to another stationer (III, p. 421). *The Taming of a Shrew* was entered by Peter Short on March 2, 1594 (II, p. 648), and published the same year, "Printed . . . by Peter Short and are to be sold by Cutbert Burbie"; a quarto of 1596 has a similar imprint. Since Burby assigned the copyright of the play to Ling in 1607 (III, p. 337)—Short had died in 1603 and was succeeded by his widow<sup>12</sup>—it seems fair to assume that Burby had at least a share in the copyright of *A Shrew* from the very first.

Burby became a freeman January 13, 1592 (II, p. 710), and made his last entry on May 28, 1607 (III, p. 350). All available evidence indicates that he was a completely respectable and law-abiding member of the stationers' guild. He had a finger in the valuable Day and Seres privileges,<sup>13</sup> and is found engaged as partner with some of the most prominent members of the Company in Matthew Sutcliffe's *De missa papistica adversus R. Bellarminum*.<sup>14</sup> He was one of the Company's searchers for pirated grammars on the night of March 13, 1598, and precipitated the Star Chamber case of Stafford *et al. vs.* Burby and Dawson.<sup>15</sup> On June 1, 1598 (II, p. 873), he was chosen to the livery. In 1602 (III, p. 695), he was one of three selected to go to the annual Lord Mayor's Dinner. His position in the Company can perhaps be gauged by a Stationers' Court record of July 31, 1604. James I having awarded the Company itself in perpetuity the sole and extremely valuable right to print "psalters, psalms, prymers, almanackes," "Mr Burby and Mr Adams are this day chosen to be in the lyvery, ioyned to the Master and Wardens, in the dealings of the accomptes and affayres of the newe preuilege: lykewise Mr Hooper and Mr Feild for the Assistentes."<sup>16</sup>

For a dispute between Burby and Danter in March, 1593, the Stationers' Court appointed two arbitrators;<sup>17</sup> it acted likewise in September, 1600, concerning Burby *vs.* P. Short.<sup>18</sup> On February 3, 1601, the Court settled a copyright dispute, concerning "the booke of the duche voiage into thindies 1588," Aspley against Flasket and Burby, by awarding the copyright to the latter two who in turn were to give Aspley twenty-five copies.<sup>19</sup> On September 17, 1602, the Court ordered thirteen stationers—including Burby—who were having some kind of controversy to stand to the order of the Court.<sup>20</sup>

In June, 1602, Burby was concerned in what Greg has called "a complicated case."<sup>21</sup> The Stationers' Court, in the controversy over *The English Schoolmaster* between Burby (who had printed five hundred copies) and Robert Dexter (who had printed fifteen hundred copies), ruled that both stationers had broken the ordinances of the Company "in printinge the said booke without Allowance in this howse"; further it ordered Dexter to hand over five hundred copies to Burby and decided that both were to have an equal share in the copyright; Burby was to pay twenty shillings for his offense, and Dexter three shillings fourpence.<sup>22</sup> The disputed copy was very valuable property: first printed in 1596 (*STC* 5711), Edmund Coote's *The English Schoolmaster* had by 1636 reached its twenty-fifth edition (*STC* 5715). Some time after 1602, the Company itself retained the copyright (*STC* 5712-16). It is possible to discover more or less what happened in 1602. The book had been entered by Ralph Jackson and Dexter December 18, 1596 (III, p. 77), and was published in the same year, "Widow Orwin for R. Jackson and R. Dextar." On April 27, 1602 (III, p. 205), six books were entered to Burby by consent of the Court, these being "the copies of Raffe Jackson Deceased and entred to the said Raffe Jackson alone for him self." Despite Greg's marginal note to the Burby *vs.* Dexter decision,<sup>23</sup> *The English Schoolmaster* was not among these six books; it could not very well be, for it had not been entered "alone for him self." Burby, however, seems to have acted as though the copyright had been given him. Jackson's will (proved August 25, 1601) left his property to his wife and children.<sup>24</sup> I do not think we can escape the conclusion that, together with the six copyrights which Burby must have purchased from Mistress Jackson, he must have bought Jackson's half-share in the copyright of *The English Schoolmaster*. At any rate, Dexter then proceeded to act as if he were full owner and Burby as if he were full owner. The sizes of the fines would seem to indicate that Burby was more guilty of the altercation than Dexter, but the background of the controversy is too obscure for any sure judgment.<sup>25</sup> No moral stigma attaches to Burby; such copyright quarrels, as the Court Book attests, were frequent among the stationers.

The only fines I can find against Burby other than a small one in

1602 for "dealing in" a book which Pavier had published and which had not been authorized (II, p. 835) are two in 1593 and 1603 (II, pp. 863, 835) for keeping an apprentice "vnpresented" (masters were constantly being fined for this offense, see II, pp. 861-64); and a fine in March, 1601 (II, p. 832), when many of the booksellers of London were fined for selling Rowlands' *Humours lettinge blood*.<sup>26</sup> It is pleasant to record against this vicious record of a publisher of bad quartos that Burby in his will, proved September 16, 1607, left twenty pounds to be lent without interest to two poor young booksellers for intervals of three years; made several bequests to charity; bequeathed eight pounds to his former master, William Wright; and left to his apprentice Nicholas Bourne, "in respect of his true and faithfull service," the lease of his shop gratis and the stock in his "warehouses" and shop in payment of five hundred pounds to his widow.<sup>27</sup> It is clear that Burby was no poor man. The will makes no mention of his copyrights, which his widow sold separately in 1609 (III, pp. 420-21).

Burby's publications reveal that his prosperity was based largely on the issuing of small popular works. In 1592, he published Munday's translation of the second part of *Gerileon of England* (STC 17206); Greene's *The third and last part of conny catching* (STC 12283); *The repentance of R. Greene* (STC 12306), printed by Danter for Burby and entered to the former October 6 (II, p. 621); and *A direction for trauailers* (STC 15696), taken from Justus Lipsius. In 1594 he put out *The second report of Doctor John Faustus* (STC 10715) and Nashe's *The vnfortunate traveller* (STC 18380); in 1595 Munday's (?) *The second booke of Amadis de Gaule* (STC 542), the same translator's *Primaleon of Greece* (STC 20366), *Maroccus extaticus. Or, Bankes bay horse in a trance* (STC 6225), and an edition of Angel Day's *The English secretorie* (STC 6403). In 1596 he published Richard Johnson's *The most famous history of the seauen champions of christendome* (STC 14677), entered to Danter April 20 (III, p. 64), and assigned to Burby September 6 (III, p. 70), Danter reserving the printing rights; in 1597, the second part of the *Seauen champions* (STC 14678), Christopher Middleton's *Chinon of England* (STC 17866) printed by Danter and entered by Danter and T. Gosson in January, 1596 (III, p. 57); in 1598 *The sixth booke of the myrrour of knighthood* (STC 18868), *The seuenth booke* of the same work (STC 18869), and Francis Meres' *Palladis Tamia* (STC 17834). In 1599 Burby published *The eighth booke of the myrrour of knighthood* (STC 18870); in 1601 *The ninth part of the mirror of knighthood* (STC 18871) and, with Flasket, the journal of the voyage of eight ships under Jacob Van Neck (STC 18417); in 1602 John Willis' *The art of stenographie*; in 1603 with Waterson, Sir John Hayward's reply to Robert Parsons, *An answer to the first part of a certaine conference concerning succession* (STC

12088); in 1606, with George Bishop and T. Adams, Barnabe Barnes' *Four booke of offices*, a folio (STC 1468); in 1607 Nicolas Vignier's *Concerning the excommunication of the Venetians* (STC 24719). Burby also published small volumes of Henry Smith's sermons (STC 22748-54), and he dabbled a little in newsletters.<sup>28</sup>

## JOHN BUSBY SENIOR

John Busby Senior, bookseller ca. 1585-1612, was concerned in the publication of three of the stolen and surreptitious Shakespeare texts. He was copublisher with Millington, according to the imprint, of the first quarto (1600) of *Henry V*. He entered the bad text of *Merry Wives* on January 18, 1602, but assigned it the same day to Arthur Johnson. He entered *King Lear* with Butter in November, 1607, although his name does not appear in the 1608 imprint. Busby, however, was also concerned in the publication of good texts of plays. He and Ling entered in 1594 (II, p. 644), "A booke Called Cornelia, Thomas Kydd beinge the Authour," and published this translation of Garnier, "Printed by Iames Roberts" in the same year. In August, 1599 (III, p. 147), Busby and John Oxonbridge entered the two parts of the anonymous *Edward IV*, "as yt was lately acted by the Right honorable the Erle of Derbye his servantes." In the same year an edition appeared "for Iohn Oxenbridge." In February, 1600 (III, p. 156), Busby assigned his share to Humphrey Lownes; and in that year an edition was printed for Lownes and Oxonbridge. In May 13, 1606 (III, p. 321), John Trundle and Busby entered Edward Sharpham's *The Fleire*; on November 21, 1606 (III, p. 333), the play was entered to Arthur Johnson and Busby by assignment from Trundle. It was published in 1607, "Printed and are to be solde by F. B. in Paules-Churchyard at the signe of the Flower de Luce and the Crowne." (According to STC 22384, the printer was Edward Allde and the bookseller Francis Burton. Greg [BEPD, p. 387] thinks the imprint points to this edition's "having been surreptitious," "clearly not produced in pursuance of the entry in the SR." But the address is Johnson's. I think that "F. B." is a mistake for "I. B." Cf. the imprint of Qq 1 and 2, 1608 and 1609, of *The Rape of Lucrece*: "Printed for I. B. and are to be solde in Paules-Church-yard at the Signe of the Pide-bull." This is the address of Butter, with whom Busby entered the play.) The stationer's epistle "To the Reader and Hearer" makes it clear that the play was published with the author's full consent and knowledge. The same author's (?) *Cupid's Whirligig* was entered by Busby and Johnson in 1607 (III, p. 354). It was published in that year, "Imprinted by E. Allde . . . solde by Arthur Iohnson." An epistle by the author

(E.S.) reveals that this play, too, was not surreptitious. The last play in which Busby was concerned probably illustrates better than volumes the fact that there is no connection in Elizabethan drama between the state of a text and the publisher of that text. Heywood's *The Rape of Lucrece* was entered not long after *King Lear* and by the same stationers (Busby and Butter), on June 3, 1608 (III, p. 380), under the hand of the Master of the Revels. Editions "for I.B." (i.e., Busby, but the imprint's address indicates Butter as the bookseller) were put out in 1608 and 1609. Appended to the first and subsequent editions is an epistle signed "T.H." Heywood denies that he has ever sold plays first to the stage and then to the press. Yet since some of his plays, "unknowne to me, and without any of my direction" had been printed from texts "copied onely by the eare,"

This therefore I was the willinger to furnish out in his native habit: first being by consent [of the players, Heywood must mean], next because the rest have been so wronged, in being publisht in such savage and ragged ornaments:

My point will be made stronger when it is recalled that Butter had also been the publisher of the bad quarto of *I If You Know Not Me*—the very text to which Heywood must be referring!

Busby must have been a remarkably law-abiding stationer, for I cannot find a single fine against him in the Registers. Pollard's implication that he was an "impecunious copy-snatcher"<sup>29</sup> is distinctly libelous when we take into account, as any one should before passing such a sentence on him, the record of his nondramatic publications. What is more surprising is that Greg, after investigating Busby's career, should write: "He was never more than a second-rate publisher and his reputation is not good."<sup>30</sup> It is clear from the context, Greg's enumeration of Busby's connections with the "pirated" [*sic*] Shakespeare texts, why Greg holds this unwarranted opinion.

Busby brought out first editions of six of Thomas Lodge's works: with Thomas Gubbins, *Rosalynde*, 1590 (STC 16664); with Nicholas Ling, *The famous, true and historicall life of Robert second Duke of Normandy, surnamed Robin the Diuell*, 1591 (STC 16657); by himself, *Catharos* (1591 ?; STC 16654); *Euphues Shadow*, 1592 (STC 16656); *Phillis*, 1593 (STC 16662); and *A margarite of America*, 1596 (STC 16660). Busby and Ling published Greene's *Neuer too late* in 1590 (STC 12253); and Gubbins and Busby, *The defence of Conny catching* in 1592 (STC 5655); an edition of Greene's *Ciceronis amor*, *Tullies loue* was printed for Busby in 1597 (STC 12225). He published three editions of Nashe's *Pierce Penilesse* in 1592 and 1593 (STC 18372-74). In 1593 (?) he published George Peele's *The honour of the garter* (STC 19539). He published the following works of Drayton: *Endimion*



and *Phoebe* (1595 ?; *STC* 7192); *Matilda*, 1594 (with Ling, *STC* 7205); and *Peirs Gaueston* (1594 ?; with Ling, *STC* 7214). Busby brought out Robert Southwell's *Moeoniae* in 1595 (*STC* 22954); and the same author's *The Triumphs over Death* in the same year (*STC* 22971). Marston's *Scourge of villanie* was printed-published by Roberts and "sold by" Busby in 1598 (*STC* 17485). In 1604 Busby and Joan Millington copublished the reprint, "The passage of . . . Quene Elyzabeth through the citie of London to westminster the daye before her Coronacion. Anno. 1558."<sup>81</sup>

### THOMAS BUSHELL

Thomas Bushell, bookseller 1599-1617, entered the bad quarto of *Doctor Faustus* on January 7, 1601. His first extant edition is dated 1604.

Bushell was admitted a freeman on February 5, 1599 (II, p. 723), and made his first book entry on March 20, 1600 (III, p. 158). He was, apparently, a minor tradesman and dealt in the usual popular stuff of the day. In 1599 he published T. M.'s *Microcynicon. Sixe Snarlinge satyres* (*STC* 17154); this was one of the books condemned by the bishops in June, 1599, and burned in Stationers' Hall (III, pp. 677-78). In 1599 he also published John Weever's *Epigrammes in the oldest cut, and newest fashion* (*STC* 25224); in 1600, Gabriel Powel's *The resolved christian, exhorting to resolution* (*STC* 20150), and Breton's *Pasquils mad-cap* (*STC* 3675); in 1602, *Work for chimney-sweepers: Or a warning for tobacconists* (Hazlitt, *Handbook*, p. 608), Thomas Aylworth's verse *The massacre of money* (Hazlitt, *Collections and Notes*, 1876, p. 18), and Thomas Scott's *Four paradoxes: of arte, of lawe, of warre, of service* (*STC* 22107); in 1604, T. M.'s (Thomas Middleton?) *The ant and the nightingale, or father Hubburd's tales* (*STC* 17881); in 1605, Samuel Gardiner's *A dialogue or conference between Irenaeus and Antimachus* (*STC* 11575); in 1613 verse satires, *The uncasing of Machivils instructions to his sonne* (*STC* 17170), and *The great victory which God hath given unto eight Holland shippes* (*STC* 13572); in 1614 B. N.'s (Nicholas Breton?) *I would and would not* (*STC* 3664); and in 1618 Harim White's *The ready way to true repentance. Sermons* (*STC* 25387). I cannot trace books he entered on III, p. 177; III, p. 180; III, p. 222; III, p. 441; III, p. 475; III, p. 490; and III, p. 510 (with John Wright). These are, in order, "The gate of Syon"; "Inimicus amicus an excellent treatize sheweinge howe a man may reape proffitt by his enemye"; "The reformacon of Covetiousnes"; an anti-Catholic tract concerning Jesuits and regicide; "The Arte of Jugglinge or Legerdemayne"; "The speedye passage to Heauen"; and a tract upon the windy winter of 1612-13. On August 23, 1601 (III, p. 191), Bushell

entered Blundeville's *The theoricques of the seven planets*; the imprint of 1602 has A. Islip for the publisher (STC 3160). On March 21, 1604 (III, p. 256), Bushell and Jeffrey Charlton entered a book on the leap year, *Platoes cap*; the imprint of the same year gives Charlton alone as publisher (STC 19975). On January 8, 1607 (III, p. 335), the same two men entered a translation from the French of "Heberman," *The princes prayers*; the only extant edition is of 1610 and has two issues: (a) for J. Windet, (b) J. Windet for J. Charlton (STC 20393a-93b). On May 6, 1616 (III, p. 587), G. Eld and Bushell entered W. S.'s *An hundred heauenly thoughts*; the imprint of that year reads "G. Eld for C. W[right]" (STC 21527).

On March 4, 1601 (II, p. 832), he was one of twenty-eight booksellers fined for dealing in *Humours lettinge blood*. That is the only fine I can find against him. His name does not appear in the Court records of Register B.

#### NATHANIEL BUTTER

On July 5, 1605, under the licenser Hartwell's hand, Nathaniel Butter, bookseller, entered the bad quarto of the first part of Heywood's *If You Know Not Me, You Know Nobody* which he published in the same year. On November 26, 1607, Butter and Busby Senior entered under Buc's hand the bad text of Shakespeare's *King Lear*; the play was published in the following year for Butter alone. Butter was also concerned in the publication of not a few good quartos. He entered the anonymous *The Trial of Chivalry, With the Life and death of Caudliero Dick Bowyer* on December 4, 1604 (III, p. 277), and published it in 1605. In the same year he published "The London Prodigall. As it was plaide by the Kings Maiesties servants. By William Shakespeare," and Samuel Rowley's *When You See Me, You Know Me, Or The Famous Chronicle History of King Henry the Eight*, entered February 12 (III, p. 283). Two months after he had entered the bad first part of Heywood's *If You Know Not Me*, Butter entered a good text of the second part, under the hand of the same official licenser (III, p. 301); he published the play in 1606. In 1607 Butter and Trundle entered under Buc's hand, Dekker's *The Whore of Babylon* (III, p. 347); Butter's name alone appears in the imprint of the edition of the same year. On November 25, 1608 (III, p. 396), Butter entered Fulke Greville's *Mustapha* under Buc's hand; the quarto appeared in 1609. On June 3, 1608 (III, p. 380), Busby Senior and Butter entered Heywood's *Rape of Lucrece* under the same hand, Buc's, with which they had entered *King Lear* seven months before. Busby published editions of the *Rape of Lucrece* in 1608 and 1609, which were sold by Butter;

Butter published editions in 1614, 1630, and 1638. The quarto has an interesting author's epistle to which I have already referred in my biography of Busby. I pointed out that Butter, the publisher of this exposé of dramatic piracy, was also the publisher of the sole bad quarto of Heywood of which we have knowledge, the first part of *If You Know Not Me*. Remembering therefore that in addition to the one bad quarto of Heywood, Butter also published two good quartos by the same author, we should be a little hesitant before we pin the blame for bad quartos on the stationer. Butter published editions of *The Fleire* in 1610, 1615, and 1631. The last play with which he was concerned was the second part of Dekker's *The Honest Whore*, entered (IV, p. 238) and published in 1630.

This stationer was admitted a freeman on February 20, 1604 (II, p. 736), and made his first entrance on December 4 following (III, p. 277). Nathaniel Butter was more than a mere publisher of pamphlets. He seems to have been a man of energy and foresight. From the very first he was especially interested in newsletters. He published a great many of them. All in all, he played an important role in the beginnings of English journalism.<sup>32</sup> Shaaber calls him the "premier news-publisher of the first half of the seventeenth century." As was to be expected, Butter's news publishing activities got him into a little difficulty because of nonlicensing.<sup>33</sup> In November, 1621, the Stationers' Court fined him a shilling, eightpence for printing "Two letters from the . . . to the ffrench king" without entrance; and in October, 1624, he was fined an unspecified sum for printing a coranto contrary to order. In February, 1622, Butter and four other stationers were fined for printing Nathaniel Newberry's copy, "The King of France, his edict." In December, 1624, Butter had to pay a fine because of "unfitting speeches" to Master Barret. Let us now, however, look at some of Butter's more interesting nonjournalistic ventures before 1623.

The most important of Butter's publications I conceive to be those of Chapman's *Homer*. On April 8, 1611 (III, p. 457), Samuel Macham assigned to Butter his rights in Chapman's *Iliad*, and Butter became in 1611 the first publisher of Chapman's complete translation of the epic (STC 13634). On November 2, 1614 (III, p. 556), Butter entered the same poet's translation of the *Odyssey*; his edition of the first twelve books probably came out in the same year (STC 13636). In 1615 (?), he brought out the complete *Odyssey* (STC 13637). In 1616 (?), he issued *The whole works of Homer* as translated by Chapman (STC 13624).

In 1605, Butter published *Sir Thomas Smithes voiage and entertainment in Rushia* (STC 22869); in 1606, John Davies of Hereford's *Bien Venu. Great Britaines welcome to the Danes* (STC 6329); in the same year, he "sold" John Hind's *Eliosto Libidinoso* (STC 13509). In

1606 he published *The return of the knight of the post from Hell* (STC 20905); in 1607, *the Lord Coke his speech and charge at the Norwich Assizes, with a discoverie of the abuses and corruptions of officers* (STC 5492);<sup>84</sup> in 1607, Dekker and Wilkins' *Jests to make you merie* (STC 6541); in 1608, Dekker's *The belman of London* (STC 6480); in the same year the third edition of Henoeh Clapham's *A briefe of the Bible, drawne into English poesy* (STC 5334); also in the same year a fantastic travel book by A. N., *A true relation of the travels of M. Bush* (STC 18325); also in 1608, George Wilkins' *The Painfull Adventures of Pericles Prince of Tyre* (STC 19628); in the same year, an edition of *The cobbler of Caunterburie* (STC 4580); in 1609 W. M.'s *The Man in the Moone* (STC 17155), a book of characters; in the same year, Dekker's *Fowre birds of Noahs arke* (STC 6499) and John Davies of Hereford's *The holy roode or Christ's crosse* (STC 6330); in 1613, *Sir Antony Sherley his relation of his travels into Persia* (with Bagfet, STC 22424), and John Salkeld's *A treatise of angels* (STC 21621); in 1614 an edition of Taylor the Water Poet's *The Sculler* (STC 23792) and *The nipping or snipping of abuses* (STC 23779); in the same year, with Aspley, an edition of Persius, *A. Persii Flacci satyrae sex* (STC 19778); also in the same year, Tobias Gentleman's *Englands way to win wealth* (STC 11745), a tract on the fishing trade; in 1617, Salkeld's *A treatise of paradise* (STC 21622); in 1618, Thomas Gainsford's *The true and wonderfull history of Perkin Warbeck* (STC 11525); in 1619, *The schoole of vertue, the second part* (STC 25265), a sequel by Richard West to Francis Seager's popular courtesy book of the same name; in 1620 John Ford's *A line of life* (STC 11162), and Daniel Tilenus' *Paraenesis ad Scotos, Genevensis disciplinae zelotas* (STC 24069); in 1622, Patrick Hannay's *The nightingale* (STC 12748); and in 1623, *The Catholike moderator: or a moderate examination of the doctrine of the Protestants* (STC 6377), translated from the French of Jacques Davy du Perron.

#### THOMAS CREEDE

Thomas Creede, printer and bookseller 1593-1617, had been made free of the Company in 1578 (II, p. 679). I quote from Plomer's article, "The Printers of Shakespeare's Plays and Poems":

... It is not until the year 1593 that his first book-entry occurs in the registers. His office was stocked with a varied assortment of letter, most of it in good condition, and his workmanship was superior to that of many of his contemporaries. Hence we are not surprised to find amongst his earliest patrons, the great Elizabethan publisher, William Ponsonby, who endeavoured as far as possible to produce good books in a good style, and for whom Creede printed amongst other things Robert Greene's 'Mammilia,'

Machiavelli's 'Florentine History,' and Edmund Spenser's 'Colin Clout's come home again.' Indeed, much of the best of Elizabethan literature came from his press.

But it is with Creed's Shakespeare work that we are more particularly concerned. In 1594 he entered in the register of the Stationers Company, and printed shortly afterwards, three books which have more than passing interest for Shakespeare students. These were 'The First Part of the Contention betwixt the two famous houses of York and Lancaster,' 'The True Tragedie of Richard the Third,' and 'The Famous Victories of Henry V.'

[Plomer was in error: Millington and not Creede entered the bad *II Henry VI*; Creede printed the 1594 quarto. Furthermore, "The true Tragedie of Richard Duke of Yorke" (= *III HVI*), printed by P.S. for Millington in 1595, is to be distinguished from "The true Tragedie of Richard the third" entered and printed-published by Creede in 1594.]

In 1595 Creed entered and printed apparently on his own account, 'The Lamentable Tragedie of Locrine, Newly set forth, overseene and corrected by W.S.,' no doubt thinking that the initials would find it a ready sale, until some one troubled to point out that Shakespeare had nothing to do with it.

Creed's first genuine Shakespeare quarto was the second edition of 'Richard III,' which he printed for Andrew Wise in 1598. In the next year (1599) the second quarto of 'Romeo and Juliet' came from his press at the instance of Cuthbert Burby, its lawful owner, and in 1600 he put to press for Thomas Millington and John Busby 'The chronicle history of Henry the fift.' The first quarto of 'The Merry Wives of Windsor,' the second quarto of 'Henry V,' and the third quarto of 'Richard III,' all came from his press in 1602, and from that time onwards till 1612, he continued to print editions of both 'Richard III' and 'Henry V.' Good workman as he could be when he liked, most of these quartos of Creed's are very little better than those issued by his brother printers.<sup>85</sup>

Whatever Plomer may have meant by "genuine," we may note that all but two of the texts he named are bad quartos; the exceptions are Q 2 of *Romeo and Juliet* and the misascribed *Locrine*. The bad quartos which Creede printed for other men should not, however, concern us. The two bad quartos he both printed and published were *The True Tragedy of Richard the Third*, 1594, entered June 19, and *The Famous Victories of Henry the Fifth*, 1598, entered a month before *The True Tragedy*, May 14. We must not, however, jump to the unwarranted conclusion that he had to do with only bad play texts. So far as I know the textual authenticity of the following quartos, of which Creede was only printer or both printer and publisher, has never been challenged.

On March 5, 1594, Creede entered Lodge and Greene's *A Looking Glass for London and England* (II, p. 645). He printed-published it the same year "to be sold by William Barley." In this year, too, he acted as both printer and publisher of *Selimus*. On May 13, 1594, he entered *The Pedler's Prophecy* (II, p. 649), and in 1595 a quarto was

printed, "sold by William Barley." In 1598 he printed Q 2 of Lyly's *Mother Bombie* for Cuthbert Burby. In 1598 he printed and published Greene's *James IV* which he had entered, at the same time as the bad quarto of *The Famous Victories*, on May 14, 1594 (II, p. 648). In 1599, Creede printed and published *The Comical History of Alphonsus King of Aragon*, attributed to "R.G." on the title page. In the same year, Creede printed and published *The History of Sir Clyomon and Clamydes*. In 1600, Creede printed three quartos for Richard Olive (or Oliffe): *The Maid's Metamorphosis*, *The Weakest Goeth to the Wall*, and *The Wisdom of Doctor Dodypoll*, all of which Olive had entered that year in the Register (III, pp. 168, 175, 174). In 1601, he printed for Olive *Jack Drum's Entertainment*. In 1606 Creede printed Chapman's *Monsieur D'Olive* for William Holme. In 1611 Q 2 and in 1616 Q 3 of *Cupid's Whirligig* came from his press, "to be sold by Arthur Iohnson." (The copyright belonged to Busby and Johnson; Q 1 bore the imprint, "E. Alde . . . solde by Arthur Iohnson"). In 1612, he printed Q 2 of *The Merry Devil of Edmonton* for the same publisher. In 1615 he printed Beaumont and Fletcher's *Cupid's Revenge* and W. Smith's *The Hector of Germany* "for Josias Harrison" who had entered both plays on April 24 (III, p. 566).

Finally, besides these stage plays, Creede in 1595 put to press William Warner's translation of Plautus' *Menaechmi*, entered by him June 10, 1594 (II, p. 653), and "sold by William Barley." For Richard Hawkins, in 1613 he printed Lady Elizabeth Cary's closet drama, *The Tragedy of Mariam*, entered to Hawkins December 17, 1612, under the hand of Buc (III, p. 508).

Creede's record in the Stationers' Company was apparently without blemish. On July 7, 1595 (II, p. 823), he was fined five shillings for keeping an apprentice unrepresented "about the time lymitted by thordinances" and for binding and enrolling him contrary to the same ordinances; my trade biography of Edward White (below) indicates that such forgetfulness was not unusual among the masters. The fine was a formality "and soe hee to enioye the service" of the said apprentice. On June 4, 1599 (III, p. 678), Creede was among the fourteen printers who were told not to print certain satires. It is pleasing to record that in competition with twelve "yongemen of the Companye," Creede was among the four on May 2, 1597, who were chosen to receive a loan of five pounds apiece.<sup>26</sup>

#### JOHN DANTER

John Danter, printer and bookseller, ca. 1589-97, was the printer of the two bad quartos, *Orlando Furioso* and *Romeo and Juliet*. The first

he entered on December 7, 1593, and later transferred on May 28, 1594, to Burby, reserving printing rights; and the second he both printed and published in 1597. The fact that Q 1 of *Romeo and Juliet* was apparently printed at two different presses is not extraordinary. According to McKerrow the second quarto of *The Unfortunate Traveller* was "clearly the work of two printers,"<sup>37</sup> though but one printer's name appears in the imprint as in Danter's *Romeo and Juliet*: "Printed by T. Scarlet for C. Burby . . ." Danter may also have been the printer of *Fair Em* for Newman and Winnington (*BEPD*, p. 193).

Danter was also concerned in the publication of not a few good dramatic texts. In 1592 he reprinted and published Robert Wilson's *The Three Ladies of London*, the first edition of which had been published in 1584. On October 23, 1593 (II, p. 639), he entered *Jack Straw*; the play was printed by him and "sold" by William Barley in the year of entrance; apparent confusion in the text vanishes when we realize that Danter, like his fellows, printed much prose as verse. Shakespeare's *Titus Andronicus* was entered by Danter February 6, 1594 (II, p. 644), and printed by him in the same year, "to be sold by Edward White & Thomas Millington." In 1594 he also printed and published another play, Lodge's *The Wounds of Civil War*, entered by him on May 24, 1594 (II, p. 650). On April 16, 1595 (II, p. 296), Ralph Hancock entered Peele's *The Old Wives Tale*; it was published in the same year, printed by Danter and "sold" by Hancock and John Hardy, but the colophon reads, "for Ralph Hancocke, and Iohn Hardie."

A. W. Pollard,<sup>38</sup> Greg,<sup>39</sup> and Judge<sup>40</sup> have followed Plomer<sup>41</sup> in denouncing Danter. In fact the denunciation of this supposedly wretched fellow has, it seems to me, strongly influenced Pollard in his concept of "pirates" who put out bad quartos. Let us set down Danter's criminal career. In 1586 Danter was an apprentice of John Day. In or before that year Robert Bourne, Henry Jefferson, and Edward Smythe were accused of illegally printing two thousand copies of the *Accidence*, the patent of which belonged to Francis Flower and his assigns. In a Stationers' Court held on November 3, 1586, it was decreed that Bourne, Jefferson, Danter, Gilbert Lee, Thomas Dunne

and all others that wroughte vpon thimpreession of the said booke, shall fromhenceforth be Dyshabled to prynte, otherwyse then as Iourneyemen in pryntinge, & shall never hereafter keepe any printinge howse to their or any of their owne behoof, but be vterlie barred therefrom accordinge [to] the said Decrees.<sup>42</sup>

Judge writes, "John Danter and Gilbert Lee appear to have been drawn into the affair, although no evidence is available concerning the actual details of their misdemeanors."<sup>43</sup> At any rate, Danter was admitted a freeman despite the above decrees on September 30, 1589 (II, p. 706). Why a warrant was sworn out for his arrest on March 3, 1593 (I, p.

561), the Register does not say. "Possibly," Judge surmises, "he was merely haled into court for disorderly printing or the publication of some scurrilous ballad."<sup>44</sup> According to a court decision of March 5, two days later, Danter was having some undescribed tangles with Chettle and Burby respectively; arbitration was ordered.<sup>45</sup> There may be a connection between the warrant and these controversies. In the early months of 1597, because he had printed a book called *Jesus Psalter* (a Catholic book of devotion?) "and other thinges without auctoritie," Danter had his presses and letters "defaced and made vnserviceable for pryntinge."<sup>46</sup> (But Danter did not go out of business; for on August 22, 1597 [III, p. 89], he entered *Mihil Mumchance*; it was published the same year, printed by Danter, sold by W. Jones [STC 17916].) In 1598 Danter was involved in another piracy of the *Accidence*, ten thousand copies; it was said that he had helped to print them. Danter, himself, did not appear before the Star Chamber court.<sup>47</sup> Probably he was dead.

Now whether or not we conclude that Danter was an unruly member of the guild to which he belonged (and we should remember that his piracies were against the constantly hated and violated monopolies), we have absolutely no right to conclude as Greg does that "Danter's short career is nothing but a record of piracy and secret printing" and that "any dramatic quarto with which he was concerned is necessarily suspect in the first instance." As for the first charge, Greg is surely exaggerating; Danter was a busy printer of popular literature for himself and others. As for the second, it is based on the notion that to an Elizabethan stationer the manuscript of a bad quarto was in some way different from the manuscript of a good quarto. The stationer merely purchased the copy. We have no proof that any stationer had anything to do with the coming into being of the copy of a bad quarto. Danter bought and published the MSS of both good and bad texts. We do not even know whether he knew which was a bad and which was a good text. If reputable scholars could until recently argue that the Shakespeare bad quartos were good first versions, are we not being naïve when we arbitrarily assume that Danter knew he was publishing a bad text?

The deep darkness in which Danter's reputation lies derives from our letting our knowledge of his piracies complement our disgust with the bad quartos. Yet the two phases of his career have absolutely no connection. Edward Venge was a notorious pirate of privileged books,<sup>48</sup> yet he published no bad quartos. James Roberts was caught printing pirated *Catechisms* in violation of the Day privilege in 1595 (II, p. 824) and in 1596 he was fined for printing a book contrary to the decrees of the Star Chamber and the ordinances of the Company.<sup>49</sup> Yet Roberts



was apparently on the best of terms with the players and had to do with only good quartos. Millington and Busby published bad quartos; yet they seem to have been exceptionally good members of their guild.

Miss Sheavyn has written the best account of Danter as printer and publisher:

For the lower forms of literature—ballads, catchpenny pamphlets, and such—John Danter was the printer most popular. He was evidently rather poor and struggling, glad to print for other stationers, and glad to get hold of popular things, cheap to buy and produce, and readily saleable. The list of publications licensed to him includes a large number of ballads. But—perhaps because he was a publisher of no great reputation, and anxious above all things to catch the popular taste,—he proved very useful to certain struggling, needy pamphlet writers. He published for Greene in his later, sensational days; he was a good friend to Nash during his acrimonious quarrel with Harvey, which, no doubt, brought Danter as publisher considerable profit. Nor does he, in spite of dealing with somewhat sensational literature, seem to have been more unscrupulous than other publishers in stealing what he could lay hands on. He was quite as ready to publish the sensationally religious tract as the frankly secular broadside; both appealed to his class of reader.<sup>50</sup>

This paragraph may certainly stand as a fair appraisal of Danter's career, although the word "stealing" needs explanation. Danter printed for himself and for Gubbins, Newman, Thomas Man, William Jones, Barley, Thomas Gosson, Thomas Nelson, Burby, and others.

Poor, struggling John Danter. How evil a reputation he has today; and all because he happened to print and publish one maimed and deformed Shakespeare play. "The first quarto of *Romeo and Juliet*, which has given Danter the most notoriety, came at the end of his business career and in his eyes was probably not a particularly important venture."<sup>51</sup> My own judgment is that Danter was neither more nor less unscrupulous than many another stationer. He needed money for his wife and children. He seems to have left them ill provided. In July, 1600, the Stationers' Company granted them charity of a pound a year, payment to be made quarterly. There is this pathetic addendum: "Item there is gyven vnto her presently in hand ffyve shillinges. And yet not withstanding Shee to Receaue v s at Michaelmas next for the first quarter."<sup>52</sup>

There are some amusing references to Danter in contemporary literature. Harvey in *Pierce's Supererogation* (1593) refers to Nashe as "Danter's gentleman" and, in another passage, as "personally mounted vpon Danters Presse."<sup>53</sup> In I. iii of *The Return from Parnassus*, Part II, Danter is about to pay Ingenioso more than two pounds and "an odde pottle of wine"—in fact, "whatsoever it cost"—for the latter's manuscript of *A Chronicle of Cambridge Cuckolds*!<sup>54</sup>

## HENRY GOSSON

Henry Gosson, bookseller 1601-40, published but one play during his long trade career, and that was the bad quarto of *Pericles* in 1609. He was a prolific publisher of ballads, broadsides, newsletters, and small pamphlets. In 1608, for instance, he put out *The apprehension, arraignment, and execution of Elizabeth Abbot, alias Cebrooke, for a cruell and horrible murther*, twelve leaves (Hazlitt, *Collections and Notes*, 1889, p. 60); and *The Woefull and lamentable wast and spoile done by a suddaine fire in S. Edmonds-bury in Suffolke. on Munday, the tenth of Aprill*. 1608, eight leaves (Hazlitt, *Collections and Notes*, 1887, p. 242). "While Henry Gosson and Thomas Pavier lived, a murder was hardly complete without a ballad or two published by one or the other of these men; their murder pieces outnumber those of all the other members of the trade combined."<sup>55</sup> Some of Gosson's more interesting publications are: Richard Johnson's *The pleasant Walkes of Moore-fields*, 1607 (STC 14690); George Wilkins' *Three miseries of Barbary* (1606?; STC 25639); an edition of Thomas Salter's *The contention between three brethren*, 1608 (STC 21633); Anthony Nixon's *The scourge of corruption*, 1615 (STC 18590); William Vallans' *The honourable prentice*, 1615 (STC 24588); Thomas Ratcliffe's *A short summe of the whole catechisme*, 1619 (STC 20746). In 1621, Gosson brought out Middleton's "solemnity," written for the Drapers when one of their Company became Lord Mayor of London: *The Sunne in Aries*. In 1622 he published, with Trundle, Roger Tisdale's *The lawyers philosophy* (STC 24090).<sup>56</sup>

However, Gosson's chief claim to fame is that he was the publisher of most of John Taylor the Water Poet's work. The former's name appears on the title page of no less than twenty-seven of the nautical bard's productions, and he entered eight more which were published by others.<sup>58</sup>

## ABEL JEFFES

Abel Jeffes entered the bad quarto of Peele's *Edward I* on October 8, 1593; it was printed by him and "sold" by William Barley in the year of entrance. On December 18, 1592, Edward White was fined ten shillings by the Stationers' Court for printing *The Spanish Tragedy*, belonging to Jeffes, and Jeffes was fined the same amount for printing *Arden of Kent* (*Arden of Feversham*), belonging to Edward White. Both editions were confiscated.<sup>57</sup> I discuss elsewhere the ramifications of this affair and why I do not agree with Greg that Jeffes' original publication of *The Spanish Tragedy* was a bad quarto.<sup>58</sup> He entered

the play on October 6, 1592 (II, p. 621). Edward White's pirated edition is extant. The first extant one of Jeffes' is dated 1594, printed by him, sold by Edward White.

This printer's career in the Stationers' Company was somewhat stormy. He was made a freeman in 1580 (II, p. 682), but his first entrance was not made until August 28, 1584 (II, p. 435). Sometime in July, 1592, Jeffes resisted a search by the officers of his guild, "contemptuously proceeded in printing a book without authority contrary to our master his commaundement," refused to deliver the books and the "barre" of his press, and used violence on one of the searchers.<sup>59</sup> On July 22, 1592 (I, p. 560) John Wolf was sent to the Archbishop at Croydon "about Jeffes disorder." On August 7, 1592, the erring printer was committed to ward by the Stationers' Court.<sup>60</sup> By October 6, 1592 (II, p. 621), however, Jeffes must once more have come into the good graces of the Company, for on that day he was appointed to print "Chaucers woorkes . . . for the companye." On December 13 and 14 (I, p. 561), representatives of the Company were at Lambeth "about Jeffes disorder." A few days later, December 18, Jeffes appeared before the Stationers' Court by direction of the Archbishop and submitted to their will, acknowledged his former faults and undutifulness, begged pardon for the same, and promised to be good in the future.<sup>61</sup> I would hazard the guess that the search in July occurred because the guild officers discovered that Jeffes was printing something which the government would object to when it appeared, that Jeffes was released from prison by order of the Company before October 6, and that the visits to Lambeth on December 13 and 14, and the court decision of December 18, were prompted by a desire to make Jeffes' submission formal in the eyes of the ecclesiastical powers. Be that as it may, on December 18, before the same Court to which he that day submitted, Jeffes was fined ten shillings for printing *Arden of Kent* which belonged to Edward White, and the latter was fined the same sum for printing *The Spanish Tragedy* which belonged to Jeffes.

Twice in 1593 Jeffes borrowed money from the guild on the security of books: the first occasion, a sum of ten shillings; the other, two pounds seven shillings (I, pp. 562, 566). Sometime in the same year, Jeffes' wife was given five shillings "for her Relief when her howse was visited" (I, p. 566),<sup>62</sup> and sometime in the same year Jeffes was given two shillings at a time he appeared before the Archbishop of Canterbury (I, p. 566). It very much looks as though a search was instituted which missed fire, and that the two shillings were in the nature of a peace offering. Jeffes may indeed have been pirating a privileged book, for he repaid a pound of the second loan with "iij Reames of Catechismes."

Jeffes made his last entrance in the Registers on July 30, 1595 (III, p. 46). A Stationers' Court decision of December 3, 1595, is found in Register B (II, p. 825):

Whereas Abell Jeffes hath disorderlie without Auctoritie and contrarie to the Decrees of the starre chamber. printed a lewde booke called the most strange prophesie of Doctor Cipriano &c and diuerse other lewde ballades and thinges verie offensive, Yt is therefore ordered, at a court holden the Daye and yeere abouesaid, That his presse and letters and other printinge stuffe which were seised and broughte to the hall for the said offenses Viz, one presse, xij paire of Cases; and certen fourmes of letters shalbe defaced and made vnserviceable for printinge.

We know from disbursements 1595-96 (I, p. 579) that Jeffes' press and letters had been brought to the Hall on the day of the decision, that "ij bookes of prophesie" had been brought "to the starre chamber to my lordes grace of Canterburie," and that sometime after a carpenter and smith were paid for wrecking Jeffes' press. He was probably incarcerated for the same offense, for on March 1, 1596, the Stationers' Court granted him two shillings "for Relief beinge in prison."<sup>63</sup> There is no doubt that Jeffes was gradually being forced out of the stationer's trade. As I have said, we have no entrances by him after July 30, 1595. However, he must have secured another press, for there is an edition of *Lazarillo de Tormes* with the imprint, "Printed by Abell Ieffes, dwelling in the Blacke Fryers neere Puddle Wharfe. 1596." (STC 15337; *Handbook*, p. 388). But on June 6, 1597 (II, pp. 199, 217), an apprentice of his was put over to another stationer to serve the rest of his time. The last heard of Jeffes is in 1599 when he assigned six copies to other stationers (III, pp. 142, 146).<sup>64</sup>

Jeffes printed busily for Busby, Barley, Burby, Gubbins, and others. He himself printed and published broadsides and small pamphlets. However, he did put out a certain amount of less ephemeral matter, chiefly reprints. In 1586 and 1596 he published editions of D. Rowlands' translation of *Lazarillo de Tormes* (STC 15336-37). The year 1587 was evidently a busy one for him, for during it he printed for himself *The whole woorkes of George Gascoigne, Esquyre* (STC 11638); Grantham's translation of Boccaccio's *Filocolo* (STC 3182); Matthew Grove's *The most famous and tragicall historie of Pelops and Hippodamia* (STC 12403); Thomas Lupton's *Siuquila* (STC 16953); and Turberville's *Tragical tales* (STC 24330). In 1589 he brought out Ascham's *Toxophilus* "by consent of H. Marsh" (STC 839) and the same author's *The Scholemaster* (STC 836). In 1591, he published a revised edition of Leonard Digges' *Pantometria* (STC 6589), and in 1592 a reprint of Brende's translation, *The historie of Quintus Curtius* (STC 6146).<sup>65</sup>

## ARTHUR JOHNSON

Arthur Johnson, bookseller in London and Dublin 1601-30, published a bad text of the *Merry Wives* in 1602. It had been entered by Busby under the hand of the Junior Warden on January 18 and assigned the same day to Johnson. It was the first entrance to Johnson in the Registers.

But Johnson, also, published good texts of well-known plays. Sharp-ham's *Fleire* was entered by Busby and Trundle on May 13, 1606 (III, p. 321), and transferred from Trundle to Busby and Johnson on November 21 (III, p. 333); it was now authorized by Buc. The play appeared the next year (see Busby above). In 1607 (III, p. 348) Johnson entered, under Buc's hand, Middleton's *The Phoenix* and published it the same year. In the same year he entered (III, p. 349) under Buc's hand and published another play by the same dramatist, *Michaelmas Term*. Johnson and Busby entered another of Sharp-ham's (?) plays under Tilney's hand, *Cupid's Whirligig*, in 1607 (III, p. 354), and Johnson "sold" editions in 1607, 1611, and 1616. In October, 1607 (III, p. 362), he entered under Buc's hand *The Merry Devil of Edmonton*; he put out editions in 1608, 1612, and 1617, "As it hath beene sundry times Acted, by his Maiesties Seruants, at the Globe."

Arthur Johnson was made a freeman in July, 1601 (II, p. 729). He made his last entry in London on February 12, 1621 (IV, p. 48), and his last assignment on January 29, 1630 (IV, p. 227). It is not necessary to add much to the statement that in London "Arthur Johnson was an extensive publisher and dealer in all kinds of literature."<sup>66</sup> I cite some of his interesting publications: in 1602, *The anatomyes of the true physition, and counterfeite mountebanke*, a translation from Johann Oberndorffer by "F. H. Fellow of the Coll. of Physitions in London" (STC 18759); in 1605, Samuel Rowlands' *A theater of delightfull recreation* (STC 21408); in 1610, Thomas Collins' *The penitent pub-lican* (STC 5566); in 1612, George Wither's *Prince Henries obsequies* (STC 25915). In 1603 he had "sold" an edition of George Gifford's *A dialogue concerning witches and witchcraft* (STC 11851); and in 1612, he published *The witches of Northamptonshire . . . who were all executed* (STC 3907). A specialty of Johnson appears to have been anti-Catholic books: in 1604 and 1605, he put out editions of Thomas Bell's *The downefall of poperie* (STC 1818-19); in 1606 (?) he published William Hubbard's *Great Britaines resurrection* (STC 13896); in 1606, William Middleton's *Papisto-Mastix* (STC 17913); in 1607, *The Jesuites comedie, acted at Lyons* (STC 14532);<sup>67</sup> and in 1611, *The fierie tryall of Gods saints* (STC 24269).

Johnson published four of William Leigh's books: in 1606, *Great Britains great deliverance from popish powder* (STC 15425); in 1609,

a sermon in two parts, *The first step towards heaven, or Anna, the prophetesse* (STC 15424); in 1612, *Queene Elizabeth, paraleld in her princely vertues. In three sermons* (STC 15426); and in 1613, *The dampe of death beaten back. A sermon* (STC 15423). In 1612, Johnson "sold" a book consisting of two funeral sermons by Leigh and William Harrison on "mistris K. Brettergh" plus a "life of the said gentlewoman" (STC 12868). In 1614 Johnson and W. Bladen published Harrison's *The difference of hearers; an exposition of the parable of the sower* (STC 12870).

#### MATTHEW LAW

On June 25, 1603 (III, p. 239), Andrew Wise assigned his copyrights in *Richard II*, *Richard III*, and *I Henry IV* to Matthew Law. In the quarto of *Richard II* which Law brought out in 1608 (Q 4) the reader was presented with "the Parliament Sceane," a corrupt version of a hundred and fifty lines which had not appeared in the Wise quartos. In addition to his editions of the above plays, Law published Robert Yarrington's *Two Lamentable Tragedies* in 1601, and *How a Man May Choose a Good Wife from a Bad* in 1602.

Along with thirteen others Law was transferred to the Stationers' Company from the Drapers' in June, 1600.<sup>68</sup> His name appears in an imprint of 1595 (V, p. 180); his last book entry was made on July 2, 1624 (IV, p. 120). McKerrow, *et al.*, write, "He appears to have been an unruly member, as he was several times fined for disobedience, for keeping his shop open on Sundays and for selling pirated editions of books."<sup>69</sup> This seems to be not only unfair but inaccurate. In March, 1601 (II, p. 832), he was fined two shillings sixpence along with twenty-eight other stationers for selling *Humours letting blood*. In the spring of 1603 (II, p. 836), he was among the many stationers who were fined for selling Allde's edition of *Basilicon Doron*. For his violation of another stationer's copyright in June, 1603, see also Chapter IV, note 88. From the account given there, one wonders whether Law when he bought Petowe's MS knew that Petowe had borrowed from Chettle. On October 4, 1604 (II, p. 840), Law was fined two shillings for keeping his shop open on "a holy Day" and for nonappearance on Quarter Day. At the same time, however, three (perhaps seven) stationers were fined a shilling each for the same absence. Stationers were fined frequently for keeping their shops open on Sunday (cf. II, p. 859). On February 4, 1605 (II, p. 840), Law was fined two shillings sixpence "for Disobedience," but stationers' fines of small sums for "breaking orders" were commonplace. Law held shares in the profitable Latin

Stock of the Company.<sup>70</sup> He was chosen to be one of the guild's representatives at the Lord Mayor's Dinner in 1610 (III, p. 695), and in 1617 he served the office of Renter (III, p. 692).

We know too little of his publications. He was apparently the chosen publisher of William Barlow, Bishop of Lincoln, for he published all the English works of that divine: in 1601 *A defence of the articles of the Protestants religion* (STC 1449) and *A sermon preached at Paules Crosse. With a short discourse of the late Earle of Essex* (STC 1454); in 1604 *The summe and substance of the conference, which it pleased his Majestie to have with the Lords Bishops, and other clergie at Hampton Court* (STC 1456); in 1606 *Christian liberty described in a sermon* (STC 1448), *One of the foure sermons preached before the Kings Majestie* (STC 1451), and *The Sermon preached at Paules Crosse, the tenth day of November* (STC 1445); in 1607 *A brand, Titio erepta. On the fift day of November. Sermon* (STC 1447); and in 1609 *An answer to a catholike Englishman* (STC 1446), and *The eagle and the body, described in one sermon* (STC 1450).

In 1595 Law published E. C.'s sonnets, *Emaricdulf* (STC 4268); in 1596 *Romes monarchie*, a verse history of Rome "in small compasse" (STC 21296); in 1602 *A dialogue and complaint made vpon the siedge of Ostend* (STC 18892); in 1603 two works by Henry Petowe: *Elizabetha quasi viuens, Eliza's Funerall* (STC 19804—it was this book which infringed on the copyright of Millington's *England's Mourning Garment*), and *Englands Caesar. His majesties most royall coronation*, in verse (STC 19806); in 1614 Henry Holland, the bookseller's, *Monumenta sepulchrraria Sancti Pauli* (for Holland and Law, STC 13583); and in 1624 Edmund Gurney's *The Romish chaine* (STC 12530).

#### NICHOLAS LING

In 1603, Valentine Simmes printed the bad quarto of *Hamlet* for Nicholas Ling and John Trundle. In 1605 (one copy has 1604) Ling published a good quarto of the same play. (It is not surprising that James Roberts printed Q2 of *Hamlet*; he was, apparently, Ling's favorite printer. I have starred [\*] the books that Roberts printed for Ling.) Ling did not concern himself greatly with plays. In January, 1594, Ling and Busby entered Kyd's translation of Garnier, *Cornelia*;<sup>\*</sup> the play was published that year, "James Roberts, for N. L. and John Busbie." In May of the same year (II, p. 650) Ling and Millington entered "The famous tragedie of the Riche Jewe of Malta"; no edition of the play before Vavasour's 1633 edition is known. In 1600, Ling published Q3 of *Every Man out of His Humour*. In 1607, he put out an edition of *The Taming of a Shrew*, printed by Simmes.

Ling took up his freedom on January 19, 1579 (II, p. 679). "His first book entry in the Registers was made in company with John Charlewood on June 1st, 1582 [II, p. 413], but between August 3rd, 1584, and October 6th, 1590, he entered nothing."<sup>71</sup> Chosen to the livery in 1598 (II, p. 872), he appears to have ceased publishing in 1607 (see III, p. 365). Ling was no small publisher of chapbooks. He was evidently an educated man and prosperous merchant. His relationship to the John Bodenham anthologies has already been noted above. In 1597 he edited and published *Politeuphia, wits commonwealth*\* (STC 15685); in 1599 he published *Wits theater of the little world*\* (STC 381). There seems to be no dissent from Hebel's conclusion that it was he who edited *Englands Helicon*, published in 1600 (STC 3191). He was a friend and publisher of Drayton.<sup>72</sup> That he was affluent may be surmised not only from the books which he published but from the fact that he was already in 1594 one of the partners in the lucrative John Day privilege of printing the *A.B.C. with the Little Catechism*.<sup>73</sup>

Ling published the following works of Drayton: *Matilda*\*, 1594, with Busby (STC 7205; a second edition of the same year was printed for them by Simmes); *Peirs Gaueston*\*, with Busby (1594?; STC 7214); *Ideas mirrour. Amours in quaterzains*\*, 1594 (STC 7203); *Robert of Normany with Matilda*\*, 1596 (STC 7252); *England's hericall epistles*, 1597 (STC 7193; Roberts printed editions for Ling in 1599, 1600, 1602); *The barrons wars in the raigne of Edward the Second*\*, 1602 (STC 7189); *The owle*, 1604, with Edward White (STC 7211); *Poems, by M. Drayton Esquire*, 1605 (printed by Simmes?; STC 7216); and *Poemes lyrick and pastorall: odes, eglogs, the man in the moone*, with John Flasket (1606?; STC 7217).

Other of Ling's publications of interest to us are: Anthony Munday's *The English Romaine Life*, 1582 (STC 18272); Greene's *Neuer too late*, 1590, with Busby (STC 12253)—Ling published an edition\* by himself in 1600 (STC 12254); Lodge's *Rosalynde*,<sup>74</sup> 1596 and 1598, with Gubbins (STC 16665-66; an edition\* was published for Ling alone in 1604, STC 16668); the same author's *Life of Robert, surnamed Robin the Diuell*, 1591, with Busby (STC 16657); Sir John Davies' *Orchestra*\*, 1596 (STC 6360); Edward Guilpin's *Skialetheia*\*, 1598 (STC 12504); Nashe's *Lenten stufte*, 1599, with Burby (STC 18370, printed by T. Judson and Simmes); Thomas Moffet's *The silke-wormes, and their flies, liuely described in verse*, 1599 (STC 17994, printed by Simmes); *Kemps nine daies wonder*, 1600 (STC 14923); Christopher Middleton's *The legend of Humphrey Duke of Glocester*, 1600 (STC 17868); Nicholas Breton's *The strange fortunes of two excellent princes*, 1600 (STC 3702); *Englands Parnassus*, 1600, with Burby and Heyes (STC 378); editions of Greene's *Ciceronis amor. Tullies loue*, in 1601 and 1605\* (STC 12226-27); Lodge's *A treatise of*



*the plague*, 1603, with Edward White (STC 16676, printed by Simmes); John Weever's *An agnus Dei*, 1606 (STC 25220), a miniature book printed by Simmes; a translation of Erasmus' *Colloquia* by W. Burton, *Seven dialogues both pithie and profitable*, 1606 (STC 10457).

Ling seems to have conformed closely enough to the requirements of an active Elizabethan bookseller's career to have had a few not very important altercations with his guild. In August, 1584 (II, p. 857), he was fined twelpence "for printing Calvin vpon the Phillippians without order." In February, 1594 (II, pp. 821-22), eighteen booksellers were fined for "buying and dispersinge of psalmes Disorderly printed [i.e., pirated]"; Ling was among them. He was also among the twenty-nine booksellers fined for selling *Humours lettinge blood in the vayne* in March, 1601 (II, p. 832). Ling was included among the six complainants who were having some undescribed controversy with seven defendants in 1602, both sides being told on September 17 to stand to the order of the Court: the decision makes clear that other stationers besides those named were involved.<sup>75</sup> He was also among the fourteen booksellers fined in April, 1603 (II, p. 835), for selling the new King's *Basilicon Doron*. In December of the same year (II, p. 837), he, Smethwicke, and John Browne were fined ten shillings apiece for printing *The wonderfull yere* "without Aucthoritie or entrance. contrary to thordonnances for pryntinge"; the edition was confiscated. He was fined ten pounds in September, 1604 (II, p. 839) for some unnamed offense, a "fine sett vppon him by order of Court." I feel sure that this fine was inflicted because Ling refused to serve an office to which he had been duly elected; in March, 1602, Roberts was fined by the court five pounds for not serving the Rentership, John Norton ten pounds, and "Mr. Keyle" four pounds;<sup>76</sup> in March, 1604 (II, p. 837), Leake, Standish, and Field were each fined ten pounds for being relieved of the same onerous office.

#### THOMAS MILLINGTON

Thomas Millington, bookseller 1593-1603, was the first publisher of three bad quartos: *II Henry VI* (1594), *III Henry VI* (1595), and *Henry V* (1600, along with Busby). The good first quarto of *Titus Andronicus* was entered and printed by Danter, "to be sold by Edward White & Thomas Millington . . . 1594," and in 1602 Millington assigned the copyright of the play to Pavier (III, p. 204). Ling and Millington entered Marlowe's *Jew of Malta* in 1594 (II, p. 650), but no edition before Vavasour's of 1633 is extant; Vavasour re-entered the play in 1632 (IV, p. 288).

Millington became free of the Company on November 8, 1591 (II, p. 710); his last book entry was in May, 1603 (III, p. 234). Further

inquiry into the career of this stationer does nothing to change the conclusion that he "issued ballads and other ephemeral literature."<sup>77</sup> However, he published certain small books that are of some interest to us. Although no edition for Millington is extant, he must have published Deloney's *Thomas of Reading* which he assigned in 1602 to Pavier (III, p. 204); the first extant edition was issued by the latter in 1612, "Now the fourth time corrected and enlarged" (STC 6569). On March 7, 1597 (III, p. 81), he entered the same author's *Jack of Newberry* which he assigned, without publishing it, soon after (May 25) to Humphrey Lownes (III, p. 84). In 1597 he published Gervase Markham's translation of Madame Petau-Maulette's lament, *Deuoreux. Virtues teares* (STC 19793), and in 1603 Chettle's *England's Mourning Garment* (STC 5121). For the remainder, an examination of the Registers, STC, and Hazlitt's *Handbook* and the various *Bibliographical Collections and Notes* reveals that Millington published unimportant ephemerae: ballads of all kinds; some newsletters; small pamphlets dealing with royal progresses, monsters, murders, murderers' "good-night's," et cetera. Shaaber praises Millington for his enterprise in gathering and publishing news.<sup>78</sup>

During a short period, 1596-97, he was guilty of some minor offenses against the ordinances of the Stationers' Company. In February, 1594, Millington, along with many other stationers who were fined for the same offense, was fined for selling a single pirated "psalme-book"; Millington's fine was very small, fourpence (II, p. 822). On September 6, 1596 (II, p. 826), he paid a fine of two shillings sixpence for printing a ballad contrary to order.<sup>79</sup> In February, 1597 (II, p. 826), he was arraigned for printing a ballad "to the wronge of Crede"; he was to pay the latter three shillings fourpence but was to enjoy copy-right; the Company fined him two shillings sixpence for not licensing the copy before printing. In March of the same year (II, p. 826), he was fined the same sum for printing "A booke before yt was Authourised and entred"; we remember that the Wardens licensed ephemerae and that what they licensed was entered.

#### THOMAS NEWMAN

Thomas Newman, bookseller 1586-93 (?), published *Fair Em* in or before 1593 in collaboration with Winnington. Newman and Thomas Gubbins copublished several interesting books: in 1587, B. Young's translation of Boccaccio's *Fiammetta* (STC 3179); also in 1587, Richard Crompton's *A short declaration of the ende of traytors* (STC 6055); in the same year, Abraham Fraunce's *The Lamentations of Amyntas* (STC 23692), a translation into English hexameters of Watson's Latin

*Amyntas*; in 1588, James Aske's *Elizabetha triumphans* (STC 847); in 1588, Fraunce's *The lawiers logike* (STC 11344); in the same year, the same author's Latin work, *A. Fransi insignium, quae ab Italis Imprese nominantur, explicatio* (STC 11342); in 1590, Tarlton's *newes out of purgatorie* (STC 23685); and in 1591, *Greenes farewell to folly* (STC 12241). On June 11, 1588 (II, p. 492), they had entered Fraunce's *Arcadian rhetorike*, but it was published by T. Orwin (STC 11338) in the year of entrance; this is what the sole remaining copy tells us, but probably the issue for Gubbin and Newman has perished: *The lawiers logike* was published in the same year with three variant imprints, one with the printer's name alone and two with the publishers' names added (STC 11343-45). Newman and R. Robinson published in 1590 (?), *Euerard Digbie his dissuasiue from taking away the lyuings and goods of the Church* (STC 6842). Newman and Winnington put out Greene's *Ciceronis amor* in 1589 (STC 12224). By himself, Newman published *Greenes Vision* (STC 12261) in 1592 (?), and *Astrophel and Stella* in 1591 (STC 22536)—as we have seen, this latter publication caused him some temporary trouble.

Newman was admitted to the freedom in 1586 (II, p. 698). Sometime in 1590, Newman was suing the Wardens of his Company in "the maiors courte" for some reason; at any rate fourteen shillings fourpence were laid out for their defense and twelpence for "drawinge and wrytinge a supplicacon to my Lord Chauncellor againste Newman" (I, p. 540). Newman, one guesses from this last, had at least a good case. If the intervening items in the Register refer to the same affair, someone was imprisoned and a search warrant was sworn out. No fines are recorded against Newman. Since his last entrance was with Winnington on June 30, 1593 (II, p. 633), the book being subsequently published by T. Man and Winnington (STC 25019), I agree with Greg "that this looks as though Newman had gone out of business in the latter half of 1593."<sup>80</sup> He was certainly dead by January 7, 1597 (see II, p. 717).

#### THOMAS PAVIER

Thomas Pavier, bookseller 1600-25, published the bad quarto of *The Fair Maid of Bristow* in 1605 and was involved in the publication of the first quarto of Shakespeare's *Henry V*, a bad text. He put out a second quarto of *Henry V* in 1602. Among the so-called 1619 quartos, he republished, as all by Shakespeare, *Henry V* (falsely dated 1608), *The Whole Contention* (dated 1619), *Pericles* (dated 1619), *I Sir John Oldcastle* (falsely dated 1600), and *A Yorkshire Tragedy* (dated 1619). He had ascribed the last play to the King's men and Shakespeare in his

entrance and on the title page of the first edition (1608), and may have thought that Shakespeare was indeed the author. In 1610 Pavier published an edition, undoubtedly by agreement with Butter, of a bad text which went through many editions, the first part of *If You Know Not Me, You Know Nobody*.

Pavier also published good play texts. He entered both parts of *Sir John Oldcastle* in 1600 (III, p. 169); the first part appeared in that year, but the second was apparently never published. *Captain Thomas Stukeley*, entered at the same time, was published by Pavier in 1605. In this year he also published *The First Part of Ieronimo* and entered (III, p. 282), but seemingly never issued, "the history of Richard Whittington . . . as it was plaied by the prynces servantes." *A Yorkshire Tragedy*, entered on May 2, 1608 (III, p. 377), was published by him in that year. In 1602 he had put out the first edition of *The Spanish Tragedy* with the famous "additions." In that year he published an edition of the old play, *A Looking Glass for London and England*; and in 1604, another edition of *Jack Straw*.

Before his transference from the Drapers' to the Stationers' Company in 1600, Pavier had been involved in the 1598 piracy of *Accidences*, at the time when the guild of stationers was trying to smash those drapers who persisted in printing or publishing. "With regard to the actual printing of the *Accidences*, Thomas Pavier admitted that they were printed contrary to decree by Walter Venge and John Danter, and he also agreed that his part of the transaction was that of binding, stitching and selling certain of the books; nevertheless, he maintained that the work was done solely for his master, Roger Pavier, and not for his own gain." There is no evidence that Thomas Pavier was punished.<sup>81</sup> He was transferred to the Stationers' Company on June 3, 1600 (II, p. 725), and was admitted to the livery four years later (II, p. 875). He became Junior Warden of the Stationers' Company in 1622. On March 1, 1602, a copyright dispute in which Pavier was concerned was settled by the Stationers' Court. On January 22, Hardy and Pavier had entered some Irish news (III, p. 200). On March 1 the Court ruled that Waterson was to pay Pavier ten shillings for his share, and Hardy was to be discharged of the ten shillings which Pavier had given him to purchase a license.<sup>82</sup> In September or October, 1602 (II, p. 835), Pavier was fined thirteen shillings fourpence for causing Edward Allde to print a book "without entrance Contrary to thorders." The fine was afterwards reduced to six shillings eightpence, the same as Allde's. On June 27, 1603 (II, p. 836), Pavier was fined, with many other stationers, for dealing in *Basilicon Doron*. He was assessed ten pounds for some unspecified offense on March 5, 1604, but the fine was reduced to thirty shillings on June 17 (II, p. 838). Pavier's irregularity

must have been a refusal to accept the office of Rentership, for in the same March three other stationers had refused to take the same office and were fined ten pounds apiece (II, p. 837).

There is no need for great revision in the summary of Pavier's career as given by *Printers and Booksellers 1557-1640*: In addition to these Shakespearean publications, Pavier was also a publisher of ballads, news-books, jest books and much other interesting literature."<sup>83</sup> Shaaber writes: "While Henry Gosson and Thomas Pavier lived, a murder was hardly complete without a ballad or two published by one or the other of these men; their murder pieces outnumbered those of all the other members of the trade combined . . . Within a year of Elizabeth's death, Thomas Pavier, in the face of the stiffest competition, had entered or published nine pieces in commemoration of her reign or in honor of King James."<sup>84</sup> I cite some of Pavier's more interesting publications: in 1601, with his good friend William Jaggard, the latter's literary effort, *A view of all the Lord Mayors of London* (STC 14343); ca. 1600 an edition of a book first published in 1590, *The rare and most wonderful things which E. Webbe hath seene* (STC 25154); in 1608, *the hystorie of Hamblet*; in 1608, an edition of Samuel Rowlands' *Diogenes lanthorne* (STC 21369); in 1607 with Bradock and in 1619 by himself editions of the old *A godlie garden: out of the which most comfortable herbs may be gathered* (STC 11559-60); in 1609, William Phillips' *A true and perfect description of three voyages . . . towards the kingdoms of Cattaia & China* (Hazlitt, *Collections and Notes*, 1882, p. 416); in 1609 Robert Armin's *The Italian taylor, and his boy* (STC 774); in 1609 and many times subsequently, editions of *A garden of spiritual flowers*, a collection of uplifting tracts by various hands (STC 21205-10); and in 1620, 1621, and 1623, editions with John Wright of the very popular *A christal glasse for christian women*, Philip Stubbes' biography of his wife (STC 23387-89).

#### JOHN TRUNDLE

John Trundle, bookseller 1603-26, was one of the publishers of the first quarto of *Hamlet* (1603); Ling was the other. Trundle was concerned in the publication of the good texts of not a few of the popular Jacobean plays. On March 12, 1606 (III, p. 316), he entered the anonymous *Nobody and Somebody*—the undated quarto was probably published by him in the year of entrance. Dekker's *The Whore of Babylon* was entered under Buc's hand on April 20, 1607 (III, p. 347), by Butter and Trundle, and published by Butter in the same year: the play contains a preface by the author to the readers. John Day's *The Isle*

of *Gulls* was published by him in 1606, to be sold by John Hodgets.<sup>85</sup> In 1606 he and Busby entered Sharpham's *The Fleire* (III, p. 321) but transferred the copyright to Busby and Johnson six months later (III, p. 333). In 1612 Dekker's *If It Be Not Good, The Devil Is in It* was published by Trundle (I.T.) and sold by Edward Marchant: the quarto contains an epistle by Dekker to the players. In 1614 he published Cooke's *Greene's Tu quoque*; there is an epistle to the reader signed "Thomas Heywood." In 1617, Trundle published Thomas Middleton and William Rowley's *A Fair Quarrel*. On July 4, 1620 (III, p. 676), Trundle and George Purslowe entered the same authors' masque, *The World Tost at Tennis*; it was published that year for Purslowe, sold by Edward Wright. Trundle also entered on January 15, 1620 (III, p. 662) a play that is not extant, "A Play Called the life and Death of Guy of Warwicke written by John Day and Thomas Decker"; he transferred this to Thomas Langley in December of the same year (IV, p. 44).

Trundle was made free of the Stationers' Company in October, 1597 (II, p. 720), but his first book entry is on July 27, 1603 (III, p. 243). Available records indicate nothing against the supposition that his career as a small tradesman was entirely blameless.

Shaaber describes him as an "untiring purveyor of popular wares," "a prolific purveyor of all sorts of popular and sensational matter"; he "glorified the Overbury case in print almost single-handed."<sup>86</sup> In I, iii of the revised version of *Every Man in His Humour*, the younger Knowell, laughing over the letter which his father had intercepted, says: "Well, if he read this with patience, Ile be gelt, and troll ballads for Mr. Iohn Trundle, yonder, the rest of my mortalitie." It is amusing to discover that Trundle did not always place his bets carefully. In 1623 Gervase Markham, the dramatist, offered to go on foot from London to Berwick, using only "an ordinarye Leape staffe" to cross all water barriers. When he returned after accomplishing this feat, his subscribers, most of them down for five shillings each, did not pay. So Markham began suit in the Court of Requests against "Thirty-nine Defendants, chiefly Actors." Among them was our John Trundle.<sup>87</sup>

#### THOMAS WALKLEY

In 1620 Thomas Walkley, bookseller 1619-58, entered and published a maimed text of *Philaster*; in 1622 he put out a good quarto of the same play. As for his good quartos, I have described his editions of *A King and No King* and *The Maid's Tragedy* without the King's men's consent in 1619 and also his unsanctioned publication of *Othello*

in 1622; there I leave open the question of whether his 1621 *Thierry and Theodoret* was also a surreptitious quarto. In 1630, he published Massinger's *The Picture*, "As it was often presented . . . by the Kings Maiesties seruants"; it contains a dedication by the author and commendatory verses. In 1637 he published Joseph Rutter's translation of Corneille's *Cid* with a dedication by Rutter; the play, according to the title page, had been acted both at court and in the public houses. Suckling's *Aglaura* was put out by him in 1638; and in the following year he published, separately, two plays by Thomas May, *The Tragedy of Cleopatra* and *The Tragedy of Julia Agrippina*; the former contains a dedication signed by the author. In 1642, he published Denham's *The Sophy*. Walkley also published masques: 1630, Jonson's *Love's Triumph through Callipolis* and *Chloridia*; 1634, Thomas Carew's *Coelum Britannicum*; 1634, Davenant's *The Temple of Love*; 1637, the same author's *Britannia Triumphans*; 1639, the same author's *Salmacida Spolia*.

Walkley's first book entry was on October 12, 1618 (III, p. 634). Not only was he the publisher of much interesting literature, but he appears to have been a man of taste and foresight. Although it has not been pointed out, he was certainly one of the first stationers to report parliamentary speeches in small pamphlets. After Jonson's death, Walkley was well enough regarded by Sir Kenelm Digby to be given the works which the dramatist had left to Digby as his literary executor.<sup>88</sup>

That Walkley was an enterprising publisher will be conceded when we examine some of his more important publications. In 1620, he published Wither's *Workes*; I have dealt elsewhere with the unwarranted assumption that this volume was a piracy.<sup>89</sup> In 1622, Walkley published Chapman's *Pro Vere, autumni lachrymae* (STC 4988), an elegy to Sir Horatio Vere; in 1624, a sumptuous folio, Edmund Bolton's *Nero Caesar, or monarchie depraved. An historicall worke* (STC 3221); in 1628, *Brittain's Ida* (STC 11057); in 1628, *Virgils georgicks. Englished By Tho. May Esq.* (STC 24823); in 1629, the same translator's *Selected epigrams of Martial* (STC 17494); in the same year, William Crosse's translation, *The workes of Caius Crispus Salustius* (STC 21624; no publisher's name is given in the imprint: the work was "sold" by Walkley); in 1635, with Benjamin Fisher, Thomas May's poem, *The victorious reigne of King Edward the third* (STC 17719); in 1638, Davenant's *Madagascar with other poems* (STC 6304); in 1640, Thomas Carew's *Poems* (STC 4620); in 1642 Denham's *Coopers Hill* (Hazlitt, *Collections and Notes*, 1882, p. 168); and in 1645, Waller's *Workes* (Hazlitt, *Collections and Notes*, 1876, p. 444).

Some time before February 7, 1644, Joseph Huns Scot seized some of Walkley's books which Huns Scot or others alleged were printed contrary to the new parliamentary ordinances concerning printing.<sup>90</sup> (Huns Scot

was for a while printer to the Long Parliament and was zealous in ferreting out secret presses.<sup>91</sup>) Walkley was not to be intimidated, for on February 7, 1644, the Stationers' Court ordered that Hunscoth was to be defended at the Company's expense against Walkley or any other who objected to a search or seizure made at the command of parliament or the guild.<sup>92</sup> That Walkley's sympathies were royalist may be inferred from a fact recorded by Plomer: "On December 1st, 1649, a warrant was issued against him for dispersing scandalous declarations sent from the late King's sons at Jersey (*Calendar of Domestic State Papers, 1649-50*, p. 557)."<sup>93</sup>

#### EDWARD WHITE SENIOR

Edward White, bookseller 1577-1612, put out an undated bad quarto of Marlowe's *The Massacre at Paris*. As is usual with the publishers of bad quartos, he also published many good texts. On May 14, 1594 (II, p. 649), we find five plays individually entered to "Adam Islip," but his name is crossed out and in each case "Edward White" is substituted. The plays were: (a) *Friar Bacon and Friar Bungay*, (b) the old *King Leir*, (c) the lost *John of Gaunt*, (d) "a booke called the booke of David and Bethsaba," and (e) *Robin Hood and Little John*. Greg points out that the phraseology of the entrance of *David and Bethsabe* indicates that the promptbook itself was brought to the Hall.<sup>94</sup> White published Greene's *Friar Bacon* in 1594.<sup>95</sup> Peele's *David and Bethsabe* was published in 1599 by Adam Islip; some agreement between the two stationers may be postulated. *Leir* was re-entered to Simon Stafford on May 8, 1605 (III, p. 289), and immediately assigned to John Wright: it was published the same year. *Robin Hood and Little John* was printed but is no longer extant; Arber may have seen a copy.<sup>96</sup> White had published *The Rare Triumphs of Love and Fortune* in 1589. *Arden of Feversham* was entered to him on April 3, 1592 (II, p. 607), and published in the same year. On November 20, 1592 (II, p. 622), he entered *Soliman and Perseda*; two quartos for White, one undated and the other 1599, are extant. In 1594 we find White's name on Q 1 of *Titus Andronicus*, "Printed by Iohn Danter, and are to be sold by Edward White & Thomas Millington": Q 2 came out in 1600, "I[ames] R[oberts] for Edward White"; and Q 3 in 1611, "for Eedward [*sic*] White." Dekker's *Satiromastix*, entered by John Barnes, November 11, 1601 (III, p. 195), was printed "for Edward White" in 1602. In 1604 White published *The Wit of a Woman*.

"Edward White dealt largely in ballads and on June 25, 1600 was fined ten shillings for selling one called *The Wife of Bath*."<sup>97</sup> This



single sentence summary is quite misleading. Edward White made his first entry in 1577 (II, p. 307), and was admitted to the livery in 1588 (II, p. 866). In 1599 he was one of two chosen to go to the annual Lord Mayor's Dinner (II, p. 36). He was elected Junior Warden in 1600, and became Senior Warden in 1606. On June 30, 1604, he paid the formal fine of ten pounds in lieu of serving a second term as Junior Warden.<sup>98</sup> He was a partner as early as 1585 in the exceedingly valuable Richard Day privilege for printing and selling the *Psalms in Meter* and the *A.B.C. with the Little Catechism*, and was perhaps a sharer in the similar William Seres monopoly in primers and prayer books.<sup>99</sup> In 1594 he was elected (along with Newberry, Ponsonby, and Wight) to be one of the stockkeepers for the Day privilege.<sup>100</sup> Clearly, Edward White was an affluent and respected member of his guild.

White's shop must have had a good assortment of popular matter. He published no important works, but some of the books which bear his name in their imprints are interesting.<sup>101</sup> I shall consider nothing which he published after 1604, for his son, Edward White Junior, became a freeman on February 22 of this latter year (II, p. 136). In 1579 White published a medical handbook that was to go through many editions for him, T.C.'s *An hospitall for the diseased* (STC 4304). In 1585, 1596, 1598 (?), 1600, and 1606 he put out editions of the popular *The paradyse of dainty deuises* (STC 7520-24). In 1585 he probably published both parts of Thomas Dawson's popular cookbook, *The good huswifes iewell* (STC 6394 = the second part; the first extant edition of the first part is dated 1587, "Newly set forth with additions" = STC 6391). In 1587 White published Peter Levens' *A right profitable booke for all diseases called The path-way to health* (STC 15533). In 1588 he published Greene's *Perimedes the blacke-smith* (STC 12295). In 1590 (?) he shared in the publication of *Tarltons newes out of purgatorie* (STC 23685a). In 1590 he "sold" a translation of Aneau, *Alector. The cock* (STC 633). In this year he also "sold" Leonard Mascall's *A booke of fishing*; in 1600 he published it (STC 17572-73). In 1591 he published *New and singular patternes and workes of linnen serving for paternes to make all sortes of laces, edginges, and cut-workes*; an edition of Johann Wigand's *De neutralibus et mediis; grossly Inglyshed* (STC 25613); and "sold" F. Sparry's translation from the French, *The geomancie of maister Christopher Cattan, Gentleman . . . to knowe all thinges, past, present, and to come. Whereunto is annexed the wheele of Pythagoras* (STC 4864). In 1592 White "sold" *The historie of the damnable life and deserved death of Doctor Iohn Faustus* (STC 10711) and published Greene's *Philomela: the Lady Fitzwaters nightingale* (STC 12296). In 1596 White published Thomas Lodge's (?) *Prosopopoeia*. In 1598 White issued a new edition of a book on the weather translated from the

Italian by J.F., *Perpetuall and naturall prognostications* (STC 10643), and a new edition of the seventy-five year old but still popular *The booke of husbandrye* by John Fitzherbert (STC 11004). In 1599 he published, from the French, *A breefe treatise of the vertue of the Crosse* (STC 24216); *Greene's Orpharion* (STC 12260); and *The key to unknowne knowledge, or a shop of five windowes* (STC 14946); in 1600 a new edition of an old book, John Partridge's *The treasurie of hidden secrets, commonly called, The good huswiues closet of prouision, for the health of her household* (STC 19430); in 1600 he also "sold" a revised edition of Bouchier's *Huon of Bordeaux* (STC 13999), and published a new edition of Leonard Mascall's *A Booke of the arte and maner, how to plant and graffe all sortes of trees* (STC 17573). In 1601 (III, p. 187), White had seven old "copies" entered to him. One of these was Stubbes' popular biography of his wife, *A christal glasse for christian women*; White published editions in 1606, 1610, and 1612 (STC 23383-85). In 1603 White published T.C.'s *A godly and learned sermon upon the 91. Psalme* (STC 4303); Richard Gardiner of Shrewsbury's *Profitable instructions for the manuring, sowing and planting of kitchin gardens* (STC 11571); and, with Ling, Thomas Lodge's *A treatise of the plague* (STC 16676).

White had the usual number of minor difficulties with his guild. In 1578-79 there seems to have been an epidemic of stealing ballads belonging to others and publishing ballads without license. On August 2, 1578 (II, p. 847), John Allde was fined five shillings for printing three ballads for White and another item for himself "without lycence": White apparently was not fined. On December 8, of the same year (II, p. 848), Henry Carre was assessed tweluepence for printing in a ballad "iij staves. out of another ballad. of Edward Whytes." On June 15, 1579 (II, pp. 849-50), Edward White was fined two shillings for publishing (with another) a ballad which belonged to Richard Jones. On August 3, 1579 (II, p. 850), White was fined three shillings and fourpence for printing a ballad "contrary to order of this cumpanie." Seven days later (II, p. 850), he was fined tweluepence for printing a ballad of "Thomas Appletree without Lycence."<sup>102</sup> On March 3, 1589 (II, p. 860), he was fined five shillings for keeping an apprentice unrepresented within the time allowed; and later in the year he was fined a shilling for the same offense (II, p. 861). This was a frequent misdemeanor among the stationers. On May 12, 1594, he was assessed five shillings for printing a ballad "of eatinge of a sheepe" without license.<sup>103</sup> On July 1, 1599, he or William White, among other stationers, was fined for coming late to the elections (II, p. 830). His fine on June 25, 1600 (II, p. 831) of ten shillings for selling the ballad of *The wife of Bathe* has already been noted; the two printers were fined five shillings and the ballads were to be brought to the Hall and burned. On April

14, 1603 (II, p. 835), White was among the many stationers who were fined three shillings fourpence for dealing in James I's *Basilicon Doron*. However, on May 30, 1603 (II, p. 836), White was fined six pounds thirteen shillings fourpence "for that he had .VC. [500] of the bookes of *basilicon Doron* of the second ympression Disorderly printed by Edward Aldee and hath sold the same number so that they cannot be taken being forfayted by thordonnances . . . And beinge to indure imprisonment for the same by thordonnances. his ymprisonment is respyted to the further order of the Company." The explanation of the heavy fine lies, of course, in White's disposing of the books before they could be confiscated. Threatened imprisonments were constantly being respited. On June 11, 1604 (II, p. 838), White was fined a shilling for being absent from his place on the Stationers' Court.

Edward White, like most stationers, was involved in some disputes over copyright. Because Henry Denham had printed *The diamond of devotion*, the contents of which were partly made up of *The footpath of faith* belonging to White, the Stationers' Court decided on January 9, 1582, that Denham was to pay White three pounds six shillings eightpence damages.<sup>104</sup> On October 29, 1589, the Court made a decision in the controversy, Bishop and Newbery *vs.* White, the last named having apparently asked the court to settle the matter. Its judgment was that White should pay the plaintiffs four pounds for the ten books of Dr. Fulke's "answere to the Remish testament which the said Edward hath disorderly bought of one of yeur workemen"; moreover, he also had to give up ten shillings for the use of the poor "of the house."<sup>105</sup> On September 15, 1589, the controversy between White and Hugh Singleton concerning *The pensive mans practise* was settled amicably: White was to receive gratis eighty copies of each of the next two impressions.<sup>106</sup> For Jeffes' piracy of White's *Arden of Feversham* and White's piracy of Jeffes' *The Spanish Tragedy*, see the trade biography of Jeffes above.

In February, 1593, the copyright of William Perkins' *The golden chain*, a very popular theological treatise,<sup>107</sup> was awarded to John Legatt, Edward White having the right to buy all the copies of the said work which Legatt had in his stock at that time.<sup>108</sup> Greg has placed in the margin of the decision: "ent. 27 July 92 (J.Legatt)." But it is not until we look into the *Short-Title Catalogue* that we get an inkling of what actually happened. There are extant editions dated 1591 (STC 19657) and 1592 (STC 19660) which bear the imprint "E. Alde, sold by E. White." The earliest extant definitely dated edition of Legatt's was printed at Cambridge in 1592, "Second edition" (STC 19659). When we realize that Legatt was a Cambridge stationer, light begins to break through. Before Legatt had established copyright in London on July 27, 1592 (II, p. 618), White had "sold" (or published?)

*The golden chain* in that city. When Legatt established copyright in London through entry in the guild Register, White protested, holding that he had prior claim.

In August, 1602, a copyright controversy between Edward White and George Potter concerning "Markhams horsmanship and Granadoes meditations" was settled in favor of White.<sup>109</sup>

#### JOHN WINNINGTON

Little is known of John Winnington, bookseller, admitted a free-man in 1586 (II, p. 698), and dead in or before 1595. In or before 1593 Newman and Winnington published the corrupt play text, *Fair Em*. Winnington was partner with Newman in two other books: in 1589 they published Greene's *Ciceronis amor. Tullies love* (STC 12224); and on June 30, 1593 (II, p. 633), they entered *The most strange discoverie of the three witches of Warboys*—the book, however, was published in the year of entrance by Winnington and T. Man (STC 25019). On January 29, 1588 (II, p. 483), Winnington entered "A Booke intytuled, an excellent Treatyse towching the restoringe againe of him that is fallen, wrytten by Sainct John Chrysotom"; the earliest extant edition according to STC 14631 is 1609 (?). Winnington also published John Holme's *The burthen of the ministerie* in 1592 (STC 13601). Another book which he appears to have brought out is *The synners salve and armor of the soule*, for the title appears in an assignment of three books by his widow to Busby on October 30, 1595 (III, p. 51); the other two books were *Tullies Love* and the Chrysotom treatise. No fine is recorded in the Register or Court Book against him. The above two entrances are the only ones he made.

#### ANDREW WISE

Andrew Wise, bookseller 1589-1603, entered the bad quarto of *Richard III* on October 20, 1597, under the hands of an official licenser and a warden; he published it the same year. He was also the publisher of four good Shakespeare quartos. He entered *Richard II* on August 29, 1597, that is *before* the entrance of the bad text of *Richard III*; he published *Richard II* also in 1597. On February 25, 1598, Wise entered *I Henry IV*; the play was published the same year. On August 23, 1600, Wise and William Aspley entered *II Henry IV* and *Much Ado About Nothing*. Both plays appeared for them in 1600. Wise and Aspley must have obtained the manuscripts directly from the play-

house (see above). The fact that Wise entered a good quarto shortly *before* he entered a bad quarto and also entered a good quarto shortly *after* (aside from the fact that the actors themselves three years later supplied him with two texts) should certainly make us shy from the hypothesis that stationers were in any way responsible for the reporting of the good texts which resulted in the bad texts. The publisher of a bad quarto merely published the manuscript which he had purchased: that is all. If we, until recently, did not recognize that *Richard III* was a bad text, how could Wise?

Wise became free of the Stationers' Company in 1589 (II, p. 705) and disposed of his copies in 1603 (III, p. 239). We know very little about him. On June 27, 1595, the Stationers' Court fined him forty shillings for printing "mr Playfordes sermon twyce without authoritie"<sup>110</sup> but the fine was subsequently reduced to five shillings.<sup>111</sup> He was among the twenty-nine booksellers in March, 1601 (II, p. 832), who were fined two shillings sixpence each for selling *Humours letting blood*; and in 1603 (II, p. 836) he was one of the score of stationers who were fined for vending Alde's editions of the *Basilicon Doron*.

Few of Wise's nondramatic publications seem to have survived. In 1593 he published Nashe's *Christes teares ouer Jerusalem*.<sup>112</sup> In 1595 he published Playfere's sermon on *Luke 23* (STC 20014); this must be the book for which he was fined above. Wise finally entered it under the Wardens' hands on April 30, 1596 (III, p. 64),<sup>113</sup> and republished it the same year under a new title, *The meane in mourninge* (STC 20015), now issued with another sermon by the same divine, *The pathway to perfection* (STC 20020), entered under the same hands on the same day. In 1598, he put out John Racster's *A booke of the seuen planets* (STC 20601), and in 1600 some Latin and English elegies on Sir Horatio Pallavicini (Hazlitt's *Handbook*, p. 436). In 1602 he published Thomas Campion's *Observations in the art of English Poesie* (STC 4543).



## NOTES





## NOTES FOR CHAPTER ONE

<sup>1</sup> For short textual analyses of the Shakespeare and non-Shakespeare bad quartos, see the present writer's, "A Census of Bad Quartos," *RES*, XIV (1938), pp. 20-43; "*The Faire Maide of Bristow* (1605), Another Bad Quarto," *MLN*, LX (1945), pp. 302-8; and "The Good and Bad Quartos of *Doctor Faustus*," *Library*, 4th Series, XXVI (1946), pp. 241-54.

<sup>2</sup> For opinion prior to the present century, see Peter Alexander, *Shakespeare's Life and Art*, London, 1939, pp. 29-31; and G. I. Duthie, *The 'Bad' Quarto of 'Hamlet,' Shakespeare Problems VI*, Cambridge University Press, 1941, pp. 1-4.

<sup>3</sup> In *A Life of William Shakespeare*, New York, 1916, revised edition, Lee also put *Pericles* and Q 1 of *Romeo and Juliet* among the reported texts.

<sup>4</sup> In a footnote, Pollard wrote: "At the cost of anticipating I may note at once that it would be much nearer the truth to say that the publication of a surreptitious edition left an author free to do exactly what he liked. The existence of an edition already in print absolved him from the need of a licence, and we find him simply reprinting his own text without registration or any other formality."—A. W. Pollard, *Shakespeare Folios and Quartos*, London, 1909.

<sup>5</sup> *Vide* pp. 12, n. 1; 182.

<sup>6</sup> *Eliz. Stage*, III, p. 185.



## NOTES FOR CHAPTER TWO

<sup>1</sup> "The minutes of the Court Books reveal the early printers as essentially-human beings, engaged in a trade for the purpose of securing a livelihood and unconcerned with the philosophical principles of liberty of the press."—Fred S. Siebert, "Regulation of the Press in the Seventeenth Century: Excerpts from the Records of the Court of the Stationers' Company," *Journalism Quarterly*, XIII (1936), p. 382.

<sup>2</sup> The printers demurred "because bookes of that Argument and on that parte were not saleable."—C. J. Sisson, *The Judicious Marriage of Mr. Hooker*, Cambridge University Press, 1940, p. 50.

<sup>3</sup> R. B. McKerrow, *An Introduction to Bibliography*, Oxford, 1928, pp. 133-34. A. W. Pollard, *Shakespeare's Fight with the Pirates*, Cambridge University Press, 1937, pp. 24, 36.

<sup>4</sup> Chapter XI (pp. 257-300) in M. A. Shaaber, *Some Forerunners of the Newspaper in England, 1476-1622*, University of Pennsylvania Press, 1929, is to be recommended without stint as the best extant account of the attitudes and activities of the minor publishers (making up the great majority) in Shakespeare's day.

<sup>5</sup> Graham Pollard, "The Early Constitution of the Stationers' Company," *Library*, 4th Series, XVIII (1937-38), pp. 253-54. Marjorie Plant, *The English Book Trade*, London, 1939, pp. 66-67.

<sup>6</sup> I have simplified the interpretation of imprints drastically. See M. A. Shaaber, "The Meaning of the Imprint in Early Printed Books," *Library*, 4th Series, XXIV (1943-44), pp. 120-41; and W. W. Greg, "Entrance, Licence, and Publication," *Library*, 4th Series, XXV (1944-45), pp. 14-22.

<sup>7</sup> There is nothing suspicious in this. The minutes of the Stationers' Court on November 23, 1630 (Liber C, f. 108b) read, "It is this day ordered yt ye Printers that use to printe the Almanacks shall sett their names or 2 letters of it whereby ye Company may know by whom they are printed." Quoted in Siebert, *op. cit.*, p. 384.

<sup>8</sup> See Shaaber, *Some Forerunners*, pp. 260-72, and also p. 72 of the present book.

<sup>9</sup> Books sold wholesale among the stationers were sold by sheet and ream, not bound. Books in the shops were unfolded or folded, or stitched, or already bound. The customer could choose whatever binding he wished. Normally this appears to have been a transaction different from the purchase of the book.

<sup>10</sup> Plant, *op. cit.*, pp. 126-29.

<sup>11</sup> R. C. Bald, "Early Copyright Litigation and its Bibliographical Interest," *Papers of the Bibliographical Society of America*, XXXVI (1942), p. 81.

<sup>12</sup> Since the book that contained the formal ordinances is now lost (see

*Records of the Court B*, pp. vii, 59), one must work out the regulations from entrances, Court minutes, et cetera. It is doubtful, however, that even some of the most important practices were ever backed up by written decrees.

<sup>13</sup> Graham Pollard, "The Company of Stationers before 1557," *Library*, 4th Series, XVIII (1937-38), pp. 19-27.

<sup>14</sup> *Ibid.*, p. 21; and Graham Pollard, "The Early Constitution of the Stationers' Company," pp. 248-49.

<sup>15</sup> H. J. Byrom, "Some Exchequer Cases Involving Members of the Book Trade, 1534-1558," *Library*, 4th Series, XVI (1935-36), p. 402.

<sup>16</sup> In "The Company of Stationers before 1557," pp. 29-35, Graham Pollard, opposing A. W. Pollard and Greg, argues cogently that the impulse came from the stationers.

<sup>17</sup> R. B. McKerrow, "Booksellers, Printers, and the Stationers' Trade," *Shakespeare's England*, Oxford, 1916, II, pp. 216-17. The charter is printed and translated in Arber, I, pp. xxviii-xxxii. It was confirmed by Elizabeth on November 10, 1559.

<sup>18</sup> C. B. Judge, *Elizabethan Book-Pirates*, Harvard University Press, 1934, p. 20. A full account of the Court will be found in the Introduction to *Records of the Court B*. It was held irregularly (*ibid.*, p. viii).

<sup>19</sup> *Ibid.*, p. 80. November 20, 1600.

<sup>20</sup> *Ibid.*, p. 84. December 7, 1601.

<sup>21</sup> *Ibid.*, p. 83. October 19, 1601.

<sup>22</sup> The punishment inflicted on the unfortunate stationer could be the wrecking of his press. December 3, 1595, "Whereas Abell Jeffes hath disorderlie without Auctoritie and contrarie to the Decrees of the starre chamber. printed a lewde booke called the most strange prophetic of Doctor Cipriano &c and diuerse other lewde ballades and thinges verve offensive, Yt is therefore ordered, at a court holden the Daye and yeere abouesaid, That his presse and letters and other printinge stuffe which were seised and broughte to the hall for the said offenses Viz, one presse, xij paire of Cases; and certen fourmes of letters shalbe defaced and made vnserviceable for printinge."—Arber, II, p. 825. On April 10, 1597, because Edward Allde had printed "a popishe Confession . . . disorderlie without auctoritie," the "said peece of presse, with the said letters shalbe defaced and made vnserviceable for printinge . . ."—*Records of the Court B*, p. 57.

<sup>23</sup> *Ibid.*, p. xli; and E. M. Albright, *Dramatic Publication in England, 1580-1640*, Modern Language Association of America, New York, 1927, pp. 62-65. To be exact, the Archbishop of Canterbury was the head of the High Commissioners in Causes Ecclesiastical. Wither wrote in his character of "A meere Stationer" in *The Schollers Purgatory* (1625?): "He stands in feare of nobody but the Archb: of Canterbury, the Bishop of London, and the high Commission . . ."—*Publications of the Spenser Society*, No. 12 (1872), p. 122.

<sup>24</sup> See W. W. Greg, "Books and Bookmen in the Correspondence of Archbishop Parker," *Library*, 4th Series, XVI (1935-36), pp. 243-79; and Ernest Kuhl, "The Stationers' Company and Censorship," *Library*, 4th Series, IX (1928-29), pp. 388-94.

<sup>25</sup> George Unwin, *The Guilds and Companies of London*, The Anti-

quary's Books, London, 1908, p. 261. One of the chief aims of the craft guild was "to control the monopoly of working and dealing in a particular branch of industry."—Charles Gross, *Encyclopaedia Britannica*, fourteenth edition, X, p. 966.

That the monopoly of which Unwin writes was really efficacious, the following entry in the London County Council letter-book shows: "At this Court was read a petition of the Mr, Wardens and Assistantes & Comunalty of the Staconers London for suppressing of Hawkers who do openly cry about the streetes small pamphlettes. Whereupon it was thought fitt and soe ordered by this Court that an act as is desired by the said Staconers be drawn by aduise of their Councel, to be presented to the Com Councell."—Qq fol. 876, Journal 40, quoted by Judge, *op. cit.*, p. 133.

<sup>26</sup> *Records of the Court B*, pp. 5-6; and Arber, II, pp. 747-48.

<sup>27</sup> *Ibid.*, II, p. 11.

<sup>28</sup> Judge, *op. cit.*, pp. 112-40.

<sup>29</sup> *Records of the Court B*, p. liv; and Arber, I, p. 490.

<sup>30</sup> *Records of the Court B*, pp. lviii, 81; and Arber, II, pp. 832-33.

<sup>31</sup> Judge, *op. cit.*, pp. 121-23. The Archbishop wanted the stationers to let Simon Stafford, draper, use a printing press.

<sup>32</sup> The King in 1603 granted to the Company the patent to print "Psaltes and Psalmes in meter or prose with musycall notes or without notes," but in 1623 the King granted to George Wither not only the monopoly of his own *Hymns and songs of the Church*, but "also a forced sale of the same, by their compulsory insertion with and in addition to every copy of the 'Psalm book in meeter' which the Stationers under their earlier patents might offer for sale."—Arber, IV, p. 13. The stationers refused to allow Wither's patent, and he, in great bitterness, berated them in his *Schollers Purgatory, Discouered In the Stationers Common-wealth*. The editor of the *Transcript* summed up the matter succinctly, "The keenness and rivalry in business among the Stationers themselves was everlasting; what it was against an outsider may be seen from the Controversy between the majority of the Court of the Company and George Wither the Poet."—*Ibid.*, IV, p. 12.

<sup>33</sup> Preface to G. B. Harrison (ed.), *Kind-Hartes Dreame*, Bodley Head Quartos, London, 1923, p. 6.

<sup>34</sup> See my "The Elizabethan Licenser of 'Copy' and His Fee," *RES*, XIII (1937), pp. 453-55.

<sup>35</sup> On January 11, 1631 (Liber C, f. 117), the Stationers' Court ordered "that noe bookes (licensed by my Ld. Bp. of London) should be printed . . . without the license printed with the book"; quoted in Siebert, *op. cit.*, p. 384. On November 21, 1677 (Liber D, f. 290b), "It was ordered [from Whitehall] . . . that the Master & Wardens of ye Co. of Stationers London. do not from henceforth permitt ye copy of any book intended to be printed to be entered in their Register untill ye printer or publisher of such booke shall have given sufficient security that he will print ye license or approbacion of such booke with the names of the person who licensed ye same at ye beginning of ye book according as is directed by ye Act of Parliament"; quoted *ibid.*, p. 393.

<sup>36</sup> Lily B. Campbell, "The Suppressed Edition of *A Mirror for Magistrates*," *Huntington Library Bulletin*, VI (1934), pp. 1-16.

<sup>37</sup> Lodge in his *An Alarum against Vsurers* (1584), A2v, in *The Complete Works of Thomas Lodge*, Hunterian Club, I (1883). See William Ringler, *Stephen Gosson, A Biographical and Critical Study*, Princeton University Press, 1942, p. 27.

<sup>38</sup> N. B. Paradise, *Thomas Lodge, The History of an Elizabethan*, Yale University Press, 1931, p. 69.

<sup>39</sup> Quoted in *Sisson, op. cit.*, p. 21.

<sup>40</sup> These provisions were, in substance, repeated in a Privy Council order of September 8, 1570 (Arber, V, p. lxxvi).

<sup>41</sup> R. B. McKerrow, "Richard Robinson's *Eupolemia* and the Licensers," *Library*, 4th Series, XI (1930-31), pp. 173-78. The manuscript is reprinted in full by G. M. Vogt, *Studies in Philology*, XXI (1924), pp. 629-48.

<sup>42</sup> Richard Collins, on taking up his duties as Clerk of the Company in 1575, set down his duties under the legend, "my charge is to enter as foloweth": the second item in the list is "Lycences for pryntinge of copies."—Arber, II, p. 35.

<sup>43</sup> *Ibid.*, II, p. 810. Anyone who printed without license was liable "vppon payne to haue all such presses, letters, and instrumentes as in or about the pryntinge of any such bookes or copenes shalbe employed or vsed, to be defaced and made vnserviceable for ymprintinge forever. And vppon payne also that euery offendour and offendours contraye to this present Artycle or ordynnaunce shalbe dishabled (after any such offence) to vse or exercise or take benefytt by vsinge or exercisinge of the art or feat of ymprintinge. And shall moreover sustayne ymprysonment Six moneths without Bayle or mayneprise."—*Ibid.*, II, pp. 810-11.

<sup>44</sup> See Sir John Lambe (Arber, III, p. 690). This statement is confirmed by a Court order of June 3, 1588, concerning "Licensing of Copies" (*Records of the Court B*, pp. 28-29). For information concerning these and later licensers, see *Eliz. Stage*, III, pp. 167-68, n. 2.

<sup>45</sup> Sometimes the stationer seems to have brought a book which had already been printed to the Hall. See W. W. Greg, "Some Notes on the Stationers' Registers," *Library*, 4th Series, VII (1926-27), pp. 378-81; and G. B. Harrison, "Books and Readers, 1591-94," *Library*, 4th Series, VIII (1927-28), pp. 275-79. Because of the risk involved—the possibility of having to change or to give up publication entirely—such procedure must have been rare.

<sup>46</sup> Between 1593 and 1603, the stationers themselves sometimes wrote the entry. For example, the entry of *Merry Wives* to John Busby on January 18, 1602, and the immediate assignment to Arthur Johnson are in the handwriting of these two stationers respectively. At other times (e.g., 1584) the Clerk made the entry but had the copyholder write his name in the margin. See Greg, "Some Notes on the Stationers' Registers," pp. 376-78.

<sup>47</sup> Percy Simpson, *Proof-reading in the Sixteenth, Seventeenth, and Eighteenth Centuries*, Oxford, 1935, pp. 76, 85, 94 respectively.

<sup>48</sup> Quoted in Shaaber, *Some Forerunners*, p. 50.

<sup>49</sup> *Eliz. Stage*, III, p. 258.

<sup>60</sup> See Mark Eccles, "Sir George Buc, Master of the Revels," in C. J. Sisson (ed.), *Thomas Lodge and Other Elizabethans*, Harvard University Press, 1933, pp. 459-62; and Greg, "Entrance, Licence, and Publication," pp. 11-14. Greg here explodes the hypothesis that stage license was employed as press license.

<sup>61</sup> *Eliz. Stage*, III, pp. 168-71; A. W. Pollard, *Shakespeare Folios and Quartos*, p. 5, and Pollard, *Shakespeare's Fight*, p. 23, are exceptions.

<sup>62</sup> *Records of the Court B*, p. lxix. Greg had written in 1924: "Writers who should have known better—including, I suspect, myself—have alluded to the act of registration as 'licence.' There is some excuse for this at an earlier date, when the term 'licence' is freely used in the books of the Company. But about 1588 the two operations came to be more clearly distinguished, and at the time with which we are dealing there is no excuse for confusing them. Registration was a mere trade affair, authority for which could be granted by the Master or a Warden of the Company. Licence was a Crown and Star Chamber matter, and authority could—in legal theory—be granted only by duly appointed officers . . . So far as we can judge—though the evidence is neither as full nor so well sifted as we could wish—what in practice happened was that controversial works required to be certified under the hand of some properly accredited person before they were admitted to registration, while in cases where the risk of official objection was sufficiently remote the Wardens took upon themselves to authorize registration without formal licence."—W. W. Greg, "The First Folio and its Publishers," *Studies in the First Folio*, London, 1924, pp. 136-37. More recently he has written: "By 'licence' I mean the official approval of a work for publication by whatever authorities were recognized at the time, and not (as the word was also used to mean) the warrant of the Company's officers for the entrance of the copy."—Greg, "Entrance, Licence, and Publication," p. 1; see also p. 9, n. 3.

Greg's view derives, probably, from the fact that he, together with McKerrow and A. W. Pollard, seems to regard the Registers as solely a record of copyright. The latter writes, "The sixpence per book paid to the Stationers' Company was paid for a separate and subsequent transaction [after the license had been procured], its entry on the register 'for the copy' of the printer or publisher who brought it, i.e. as his copyright, which every other member of the Company was bound to respect."—A. W. Pollard, *Shakespeare Folios and Quartos*, p. 5. McKerrow says, "The original purpose of these entries seems to have been as a register of copyright."—McKerrow, "Booksellers, Printers, and the Stationers' Trade," p. 220. But this position is indefensible. How can one possibly hold to it when under *for Taking of fyynes for Copyes as folowethe*, 1562-63, one reads, "Recevyd of Rowlande hall for his lycence for printinge of a boke intituled . . ." (I, p. 199); or under *The Enterynge of Coopyes*, 1565-66, "Recevyd of John Alde for his lycence for prynting of a ballett intituled . . ." (I, p. 293)? I show below, however, that the Registers in time did come to be looked on as a partial record of copyright by the stationers.

There can be no doubt that the Wardens always distinguished between an official license and a Company license. See in 1569-70 (I, p. 413):

Recyvvd of lucas haryson and george bysshoppe for thayre lycense for the pryntinge of a boke intituled a shorte Dyscource of the Cevill Warres and laste trubbles in Pfraunce under Charles IXth by Jeffray Fenton [authorized] by my lorde of London. vjd

But to say that the Wardens after 1586 did not give "formal" or "official" licenses is not to say that they did not continue to give Company licenses. And a license was a license. When one sees a book entered under the hand of a Warden from 1590 on, one is inclined to believe that the Warden consented to the establishment of copyright; whereas in fact he was also consenting to the publication—that is, granting a Company license or authorization.

<sup>53</sup> Ballads and other small items were almost always merely entered, no guild or ecclesiastical licenser's name being given (see III, pp. 579, 580, 585, 589, *passim*). The slight opinion in which such productions were held is evidenced by the fact that they were frequently entered after they were printed and under no hands at the end of the fiscal year (IV, p. 216), or in great number in a single entry long after they were printed (IV, p. 131). How careless the Clerk could be in entering them may be seen from "Received of them for sixe Ballettes" after which come but four titles and the name of only one stationer in the margin (IV, p. 176). One can even find an entrance in which ballads are merely entered, their names to be brought in later (II, p. 390).

The Wardens and the Master as officers of the Company were responsible for all entrances. The appearance of the Warden's name merely indicates that he has presumably perused the copy and allowed it. No name means that he has not, that the enterer has brought the copy directly to the Clerk. In such cases, the latter must be considered as possessing some sort of licensing powers, for the entries without any name must have been made with his consent. This hypothesis is more or less proved by the fact that various ephemerae, not all ballads, were entered in 1633 and later "under the hand of Henry Walley," who was Clerk of the Company at the time (IV, pp. 307, 309, 311, 315, 326, 327, *passim*). In a note, Chambers referring to Arber, V, p. liv, writes that "in 1643 it was the clerk and not the wardens whom Parliament authorized to license 'small pamphletts, portraitures, pictures, and the like.'"—*Eliz. Stage*, III, p. 173.

<sup>54</sup> *Printers and Booksellers 1557-1640*, p. 184.

<sup>55</sup> *DNB*, VII, p. 171.

<sup>56</sup> See Greg's discussion of this entrance in "The Two John Busby's," *Library*, 4th Series, XXIV (1943-44), pp. 84-85.

<sup>57</sup> *Records of the Court B*, p. 20.

<sup>58</sup> J. Q. Adams (ed.), *The Dramatic Records of Sir Henry Herbert*, Yale University Press, 1917, pp. 22-23.

<sup>59</sup> W. J. Lawrence, *Speeding up Shakespeare*, London, 1937, pp. 163-64.

<sup>60</sup> See Margaret Dowling, "Sir John Hayward's Troubles over His Life of Henry IV," *Library*, 4th Series, XI (1930-31), pp. 212-24.

<sup>61</sup> Kuhl, *op. cit.*, p. 391.

<sup>62</sup> Quoted in Arber, V, p. lxxviii.

<sup>63</sup> *DNB*, LXII, p. 260. Cf. Prynne and Hayward. Anthony à Wood was prosecuted for libel in 1693, at the instigation of the Earl of Clarendon,



because of two passages in the second volume of the first edition of *Athenae Oxonienses*. Part of Wood's defense was that the book had been fully licensed. He was severely punished. See Simpson, *op. cit.*, p. 16.

<sup>64</sup> Arber, III, pp. 677-78; and *Records of the Court B*, p. 72. The original entrances, according to their sequence in the bishops' order, are on III, pp. 82, 109, 116, 125, 126, 143, and 140. Arber missed one of these entrances but G. B. Harrison pointed it out. See his discussion of the order and the books concerned in "Books and Readers, 1599-1603," *Library*, 4th Series, XIV (1933-34), pp. 13-15.

<sup>65</sup> E. M. Albright, *Dramatic Publication in England, 1580-1640*, Modern Language Association of America, New York and London, 1927, p. 77.

<sup>66</sup> Arber, V, lxxvii.

<sup>67</sup> *State Papers, Domestic, 1631-1633*, p. 437.

<sup>68</sup> *Printers and Booksellers 1641-1667*, p. 169.

<sup>69</sup> My account is based largely on E. W. Kirby, *William Prynne, A Study in Puritanism*, Harvard University Press, 1931, pp. 20-31. Buckner's story conflicted with Prynne's. "In April, 1631, Sparke, he declared, had brought to him seven sheets about stage plays. Being inexperienced and not knowing who the author was, he had read as many as he could. Nothing offensive to the good, just, and religious government of the king was found. A few weeks later he read the first sixty-four pages of the *Histriomastix*. Later he attempted to stop the printing of it, but found that it was being published secretly. His order for its restraint had been disregarded, only six copies having come into his hands." The entrance in the Stationers' Register, however, not only contains Prynne's name but was also made more than six months before Buckner said a part of the book was first brought to him. I cannot unravel the problem except to suggest that the Clerk *must* have had some kind of official license before him when he made the entrance. It may be that many of the official licenses in the Registers were really provisional, and that in many more cases than are now known the printed sheets were subsequently checked by the censor.

<sup>70</sup> *Vide* H. R. Plomer, "Michael Sparke, Puritan Bookseller," *Bibliographer*, I (1902), pp. 409-19.

<sup>71</sup> Liber C, f. 130; quoted in Siebert, *op. cit.*, p. 385.

<sup>72</sup> Arber, V, p. lxi; from the Court Records which have not as yet been published.

<sup>73</sup> A. W. Pollard, *Shakespeare Folios and Quartos*, p. 5.

<sup>74</sup> A. W. Pollard, "Some Notes on the History of Copyright in England, 1662-1774," *Library*, 4th Series, III (1922-23), pp. 107-8. The "woorkes" of Josephus, to be translated from the French into English, were entered by Waterson, Peter Short, and Thomas Adams on June 26, 1598 (Arber, III, p. 119). The first extant edition, bearing their names in the imprint and Lodge's name as the translator, is of 1602 (STC 14809).

<sup>75</sup> *Publications of the Spenser Society*, No. 12, pp. 28-29.

<sup>76</sup> *State Papers, Domestic, 1631-1633*, p. 3.

<sup>77</sup> T. E. Scrutton, *The Law of Copyright*, London, 1903, p. 20.

<sup>78</sup> G. Pollard, "The Early Constitution of the Stationers' Company," pp. 254-59. Pollard's evidence is, unfortunately, slight for these important

conclusions; but his interpretation of it seems quite sound. He believes that the practice of giving a book to the Company after printing persisted into the seventeenth century.

<sup>79</sup> *Records of the Court B*, pp. 39-40.

<sup>80</sup> *Ibid.*, p. 52.

<sup>81</sup> *Ibid.*, p. 37.

<sup>82</sup> See note 41 above.

<sup>83</sup> *Op. cit.*, p. 178.

<sup>84</sup> "Even at the end of the sixteenth century a hardy fellow like John Wolfe does not seem to have registered more than sixty or seventy per cent. of the books he printed. . . ."—A. W. Pollard, "Some Notes on the History of Copyright in England, 1662-1774," p. 98. For the last twelve years of Elizabeth's reign, G. B. Harrison concludes that little more than two-thirds of the books that were published were entered; "Books and Readers, 1591-94," pp. 274-75; and "Books and Readers, 1599-1603," pp. 1-2. Greg's percentage for 1576-1640 is substantially the same; "Entrance, Licence, and Publication," pp. 1-7. *Eliz. Stage*, III, p. 177: "The large number of unentered plays is rather a puzzle, and I do not know the solution." Graham Pollard, "The Early Constitution of the Stationers' Company," p. 256: "But when all allowances have been made for contraband books, reprints, and books printed under patent, there must still be a large number of books that were never entered in the Register. I have no explanation to offer."

<sup>85</sup> *Records of the Court B*, p. 29.

<sup>86</sup> *Eliz. Stage*, III, p. 176.

<sup>87</sup> How impossible it is for the bibliographer to use the Registers as a complete record of copyright is evidenced by a Court decision of December 6, 1602, p. 92. The order indicates that there were eleven partners in the copyright, ten shares. Yet on the same day the book was entered in the Register (III, p. 223) with only one name in the margin, that of the owner of a half-share.

<sup>88</sup> I have not included among my examples of fines in Register B for nonentrance the following: (a) September 4, 1581 (II, p. 853). "Thomas Da[w]son is to paie for printinge a booke for Thomas Butter before the wardens handes were to yt ijs vjd." "T. Butter. Receaued of him for printinge the same booke before he had the wardens hands. ijs vjd." The Wardens' license was not equivalent to entrance—as we learn from Robinson's *Eupolemia*. (b) August 3, 1601 (II, p. 833). "Valentyne Syms. Yt is ordered that he shall pay iij s iij d for pryntinge A proclamacon formerly printed for the Crowne office, which he hath nowe this time printed without Allowance or entrance." Simmes was not punished for lack of license or entrance: he was fined for printing something which violated the King's printer's privilege.

The first indication of the exertion of force on stationers *en masse* to enter their books is recorded by Rivington: "In 1622, the Court of Assistants made an Order that no Printer was to print any book not entered in the Hall Book" (Arber, V, p. liii). I suspect, however, that this order was aimed at the printing of unlicensed books. See on pp. 63-64 the discussion of the Court order of March 1, 1602, requiring ballads to be entered.

<sup>88</sup> *Records of the Court B*, p. 49.

<sup>89</sup> *Ibid.*, p. 51.

<sup>90</sup> *Ibid.*, p. 57.

<sup>91</sup> Liber C, f. 70; quoted in Siebert, *op. cit.*, p. 383.

<sup>92</sup> *Records of the Court B*, p. 85.

<sup>93</sup> A. W. Pollard, *Shakespeare's Fight*, p. 40. What I say below in the body of this chapter is not to be understood as denying in any way that entrance was the best guarantee of copyright. For example, a stationer who had not entered a book but had begun to print it would be in difficulties if another stationer entered it. The only actual case of this I know occurred at the end of our period. See Frank Marcham, "Thomas Walkley and the Ben Jonson 'Works' of 1640," *Library*, 4th Series, XI (1930-31), pp. 225-29, and Greg's comment, *ibid.*, pp. 461-65.

<sup>94</sup> Greg, "The First Folio and its Publishers," p. 135. In a private communication, Sir Walter has sent me the following excerpts from unpublished Court Book C. It is a minute for July 27, 1639: "Mr. Benson desired leaue of the Cort to print an Imprssion of the play called The Tragedy of Albouine made by Mr Dauenant wch was printed in Anno 1629. & neuer entred & therefore in the disposall of this Cort. Vpon consideration thereof It was ordered that the said Mr Benson should haue leaue to print an Imprssion of 1500. paying to the Poore of this Company xls." I have not investigated the correlation of entrance and publication after 1640. The above minute indicates that the Stationers' Court considered publication without entrance as not tantamount to establishment of copyright on one occasion in 1639. *Albovine*, apparently, was derelict copy at the time. *STC* 6307 records "The tragedy of Albouine, King of the Lombards . . . f. R. M[oore], 1629." *Printers and Booksellers 1557-1640* says that Moore's last entry was made on April 29, 1631. His widow assigned a sole copy, Donne's "Ignatius Conclauē," on June 27, 1634, to Marriot (Arber, IV, p. 322). Miss Hymans, of the Rare Book Room of the University of Michigan Library, writes: "I do not find that *Albovine* was reprinted until it appeared in the 1673 edition of D'Avenant's Works." I have still to see evidence that before 1640 a living stationer who had published a book without entrance was ever considered as not owning copyright in that book because of the omission of entrance.

Differing with Greg concerning his position that entrance was obligatory, theoretically at least, as expressed in his "Entrance, Licence, and Publication," I submitted to the same periodical my own general conclusions ("Correspondence," *Library*, XXVI [1945-46], p. 195); Greg replied (*ibid.*, pp. 308-10). The present book supplies, I hope, the factual data which will satisfy Sir Walter's queries.

<sup>95</sup> The Wardens also included such conditions in an entrance when the book entered seemed to be similar to a book which had already been printed and the publisher of which might construe the entered book as violating his copyright. See December 30, 1591 (II, p. 601), and January 27, 1603 (III, p. 225). They also used similar wording to indicate the voiding of the entrance if it were found that the copy or copies had been entered previously. See August 16, 1591 (II, p. 593); November 12, 1614 (III, p. 557);

and October 22, 1618 (III, p. 634). I assume, however, that this last use of *salvo jure cuiuscunque* was due as much to a refusal to take pains by checking as to cautiousness. In the text I am interested in the use of the phrase when copyright was not to be determined merely by going through previous entries.

<sup>97</sup> See Shaaber, *Some Forerunners*, pp. 260-72.

<sup>98</sup> *Printers and Booksellers 1641-1667*, p. 125.

<sup>99</sup> *Ibid.*, p. 59.

<sup>100</sup> A. W. Pollard, *Shakespeare's Fight with the Pirates*, pp. 40-41; and Greg, "The Date of *King Lear* and Shakespeare's Use of Earlier Versions of the Story," *Library*, 4th Series, XX (1939-40), p. 379.

<sup>101</sup> *Printers and Booksellers 1557-1640*, pp. 252-53.

<sup>102</sup> Shaaber, "The Meaning of the Imprint in Early Printed Books," p. 125: "... on 1 June 1577 [II, 312] Richard Watkins entered Breton's *Workes of a young wyt*, and on the same day transferred his rights to Thomas Dawson, by whom the book was published (in partnership with Thomas Gardyner)." Shaaber may be right about the time of the assignment, but the marginal note opposite Watkins' entry merely reads, "Memorandum that this Copie is assigned ouer to Thomas Dawson."

<sup>103</sup> a) From Charlewood to East, *The Golden Booke of Marcus Aurelius*: Awdeley printed this book in 1566 (STC 12445) and 1573 (STC 12446). On January 15, 1582 (II, p. 405), Charlewood had copies entered to him which, it is stated, had been Awdeley's. Among them is *Marcus Aurelius*. On July 19, 1586 (II, p. 449), is written "Thomas East. Receaved of him for printinge the goulden booke of Marcus Aurelius entred by warrant of master warden Bishshops hand to the former copie printed anno 1585 . . ." This edition of 1585 was probably published by Charlewood. East put out an edition in 1586 (STC 12447). At any rate, East must have bought the copyright from Charlewood, who continued to be an active stationer till his death in 1593.—E. G. Duff, *A Century of the English Book Trade 1457-1557*, London, 1905, p. 26.

b) From Wolfe to Blount, *Hero and Leander*: On September 28, 1593 (II, p. 636), Wolfe entered Marlowe's poem. In 1598 an edition, "A. Islip for E. Blount" was published—this is the earliest extant edition. On March 2, 1598 (III, p. 105), Blount assigned the copy "by consent of the Wardens" to Paul Lynlay. Wolfe was an active publisher until his death in 1601.—*Printers and Booksellers 1557-1640*, p. 298. See Greg, "The Copyright of *Hero and Leander*," *Library*, 4th Series, XXIV (1943-44), pp. 165-74.

c) From Roberts to Smith, *The most honorable tragedie of Sir Richard Grinville, Knight*: Markham's work was first entered by Roberts on September 20, 1595 (III, p. 48) and printed the same year, "J. Roberts f. R. Smith" (STC 17385). On November 6, 1598 (III, p. 131), William Wood entered "in a full Court of Assistentes holden this Daie. these [9] bookes followinge," among which is listed an edition of *Grenville*. On examining the list, one finds that most of the copyrights can be traced to Smith. Some-time between entrance and publication, apparently, Roberts had sold the copyright to Smith.

d) From Thomas Man Junior to John Hodgets, *The Honest Whore*, Part I: On November 9, 1604 (III, p. 275), occurs the entry, "Thomas Man the yonger. Entred for his cotype vnder the hand of master Pasfield A Booke called The humors of the patient man The longynge wyfe and the honest whore. vjd." Man's last book entry was in 1611 (III, p. 441). The first two editions of the play read "V.S. for Iohn Hodgets. 1604" and "V.S. solde by Iohn Hodgets. 1605." It appears that Man had bought the play and then sold the copyright, without the sale's being recorded in the Registers, to Hodgets. It is interesting to note by the way that the imprints of Qq 3 and 4—"N. Okes for R. Basse, 1615" and "N. Okes, sold by R. Collins, 1635"—indicate a sale of the copyright to Okes by Hodgets, who was in business until death in 1625.—*Printers and Booksellers 1557-1640*, p. 139. No notice of this sale appears in the Registers.

e) From Pavier to Blower, *Scoggin's Jestes*: On February 10, 1615 (III, p. 563), is noted, "Edward Wright. Entred for his Copie by the consent of Raffe Blower a booke called Scoggins Jestes which booke was heretofore entered to master Pavier and afterwarde turned ouer to the said Raffe Blower as appeareth by a note vnder both there handes . . ." This book was entered to T. Colwell 1565-66 (I, p. 299), and no further reference to it appears (as far as I know) in the Registers between that time and 1615. The book was not entered to Pavier, and it was assigned to Blower by him without record in the Registers. Blower published an edition in 1613 (STC 21851).

f) From Fetherstone to Flesher, Hall's *Works*: On June 28, 1624 (IV, p. 119), is found, "Master Pavier Miles Flesher John Havilond. Whereas master fetherstone by a bill of sale Dated 11 Junij 1624. hath sold and assigned to miles flesher all his estate in the seuerall Copies and bookes in any volume of the workes of master Doctor Hall in English nowe The said Miles flesher in that Thomas Pavier and John Havilond are equal Co-partenours with him therein The said workes by Consent of Miles flesher and order of master Bill warden vnder his hand are entred for the copies of the said parties ioyntly . . ." There is no transfer to Flesher in the Register for June 11, 1624.

g) From Holme to Ling, and from Ling to Smethwicke, *Every Man out of His Humour*: William Holme entered and published books 1590-1615. On April 8, 1600 (III, p. 159), he entered this play. Qq 1 and 2 were published by him in 1600. Q 3 was "Printed for Nicholas Linge, 1600." There is no record in the Registers of any transfer from Holme to Linge. On November 19, 1607 (III, p. 365), sixteen copyrights "Whiche dyd belong to Nicholas Lynge" were entered to Smethwicke. *Every Man Out* is not in this list. Yet in the 1616 folio one reads on the separate title page for the play, "William Stansby for Iohn Smithwicke"; and on April 28, 1638 (IV, p. 417), the latter assigned the copyright in the play to another publisher. Smethwicke must have come into possession of the copyright somehow. Either he obtained it from Holme without any notice in the Registers, or from Ling who bought it from Holme, neither sale appearing in the Registers.

h) From Harford and Bourne to Boler, *The Golden Scepter*: On May 6, 1637 (IV, p. 383), this volume of Preston's sermons was entered to Bourne and Harford. In the assignment of the deceased Boler's copies to his sons, September 7, 1638 (IV, p. 435), there appears last in the list, "The Golden Scepter. by Doctor Preston. a third part. by an Assignement from Master Bourne and Master Harford." Between this notation, therefore, and the original entrance by Harford and Bourne, the latter must have assigned to Boler a third part of *The Golden Scepter* without the transaction's being noted in the Register. This is borne out by the imprints of the two editions published in 1638, "R. Badger for N. Bourne and A. Boler and R. Harford."

<sup>104</sup> Greg points out an assignment of February 27, 1636 (IV, p. 356), in which one can imagine the Clerk copying from the legal document in front of him: "Assigned ouer vnto [Mr. Geo: Edwards] by vertue of a Note vnder the hand & seale of Mr. Bourne & subscribed by both the wardens these 3. Copies . . . with all my Estate right & title to them & euery of them." The informing word is "my."—Greg, "Some Notes on the Stationers' Registers," pp. 383–84.

<sup>105</sup> *Printers and Booksellers 1557–1640*, p. 249.

<sup>106</sup> *Ibid.*, p. 102.

<sup>107</sup> Greg comments on the uniqueness of this entry in *Library*, 4th Series, VII (1926–27), pp. 218–19.

<sup>108</sup> *Records of the Court B*, p. 59.

<sup>109</sup> The Court records are full of decisions concerning disputes over copyright. See especially Binge and Ponsonby *vs.* Man on January 17, 1599, *ibid.*, p. 67.

<sup>110</sup> *Ibid.*, p. 44. This decision has been dealt with by Greg in "The Spanish Tragedy—A Leading Case?," *Library*, 4th Series, VI (1925–26), pp. 47–56. Greg maintained that a publisher of a bad quarto did not own copyright in the good version. I entered a rebuttal: "Is *The Spanish Tragedy* a Leading Case?," *JEGP*, XXXVII (1938), pp. 501–10.

<sup>111</sup> G. Pollard, "The Company of Stationers before 1557," pp. 27–28.

<sup>112</sup> Judge, *Elizabethan Book-Pirates*, p. 46. In February, 1594 (II, pp. 821–22) many stationers were fined for dealing in "psalmes Disorderly printed" (that is, in violation of the Seres privilege). Apparently these had false title pages, for after confiscation "the counterfet leaf [was to] be taken out."

<sup>113</sup> W. A. Jackson, "Counterfeit Printing in Jacobean Times," *Library*, 4th Series, XV (1934–35), pp. 372–76. Jackson thinks that the *Henry IV* forgeries were not put out to cheat later owners of copyright but to evade possible governmental repression of a book that had gotten its author and first publisher into trouble. See also H. R. Hoppe, "John Wolfe, Printer and Publisher, 1579–1601," *Library*, 4th Series, XIV (1933–34), pp. 271–72.

<sup>114</sup> A.E.M. Kirwood, "The *Metamorphosis of Ajax* and its Sequels," *Library*, 4th Series, XII (1931–32), pp. 208–34. There are spurious Edinburgh and Delf editions of Lewis Bayly's very popular *Practice of Piety*, the purported printers of which were fictive; see Harry Farr, "Philip Chetwind and the Allott Copyrights," *Library*, 4th Series, XV (1934–35), pp. 141–42.

<sup>118</sup> Simpson, *op. cit.*, p. 70.

<sup>119</sup> R. Steele, "Hans Luft of Marburg. A Contribution to the Study of William Tyndale," *Library*, 3rd Series, II (1911), pp. 113-31.

<sup>117</sup> A. J. Hawkes, "The Birchley Hall Secret Press," *Library*, 4th Series, VII (1926-27), pp. 137-83.

<sup>118</sup> Harry Sellers, "Italian Books Printed in England before 1640," *Library*, 4th Series, V (1924-25), pp. 108-20.

<sup>119</sup> William Scott (ed.), *The Works of William Laud*, Library of Anglo-Catholic Theology, Oxford, 1849, II, pp. ix-xiii.

<sup>120</sup> *Ibid.*, II, pp. vi, xvi.

<sup>121</sup> *Ibid.*, II, pp. iii, v-vi (text).

<sup>122</sup> It must not be forgotten, however, that even the banning of a book does not seem to have deprived the original publisher of his copyright; nor should one forget those cases in which, though a stationer was fined for not procuring license, he was not deprived of his copyright.

<sup>123</sup> What was the cause of Laud's action? Richard Badger, an excellent workman, was known at the time as Laud's official printer (*Printers and Booksellers 1641-1667*, pp. 10-11). Islip was at the end of his career; he died in September, 1639 (*Printers and Booksellers 1557-1640*, pp. 148-49). It is easy to see why the former was chosen to be the printer of one of Laud's most important works.

How important Laud considered the book may be judged by the command in his will that it "be translated into Lattin and sent abroad, that the Christian world may see and judge of my religion. And I giue unto him that translates it, for his paines, 100 l."—Scott, *op. cit.*, II, p. xxiii.

<sup>124</sup> A. B. Grosart (ed.), *The Complete Works in Verse and Prose of Samuel Daniel*, 1896, IV, pp. 81-82.

<sup>125</sup> The 1618 (?) imprint of the whole history reads, "Printed by Nicholas Okes, dwelling in Foster-lane for the Author. Cum Priuilegio." The 1621 edition had two issues: "Printed at London. 1621. Cum Priuilegio." and "Printed at London by N. Okes for S. Waterson 1621." Waterson's name is also on the 1626 title page: "Printed for Simon Waterson, 1626. Cum Priuilegio." It is probable that Okes retained the printing rights when his entry was crossed out and that Waterson acted as Daniel's assign after Waterson made his entrance. In 1618 Daniel was given a royal grant for the sole printing of the whole history. For the Stationers' Company's defeat of Daniel's attempt to handle the sale of the 1612 edition by himself, see my article, "Author's Copyright in England before 1640," *The Papers of the Bibliographical Society of America*, XL (1946), pp. 63-66.

<sup>126</sup> Liber D, f. 63a; quoted in R. C. Bald, *op. cit.*, pp. 84-85. There is an empty space after "Entituled" in which the title was meant to be, but was not, written.

<sup>127</sup> For the difficulty which authors incurred when they themselves tried to control copyright which was not royal patent copyright, see my article, "Author's Copyright in England before 1640," pp. 43-80.





### NOTES FOR CHAPTER THREE

<sup>1</sup> A copy is in the Rare Book Room of the University of Chicago Library. Cf. the title page of a small pamphlet of Laud's sermon and prayers at the time of his execution: "The Archbishop of Canterbury's Speech . . . All faithfully Written by John Hinde, whom the Archbishop beseeched that he would not let any wrong be done him by any phrase in false copies. Licensed and Entred . . . London, Printed by Peter Cole . . . 1644."

<sup>2</sup> W. C. Hazlitt (ed.), *Prefaces Dedications Epistles Selected from Early English Books 1540-1701*, London, 1874, pp. 386-87.

<sup>3</sup> R. B. McKerrow (ed.), *The Works of Thomas Nashe*, London, 1910, I, p. 341. A. W. Pollard wrote, "Although the booklet was being so repeatedly copied by different scribes not only did none of them make a second copy and sell it to a printer, but Nashe does not seem even to have considered the possibility of this being done. It is solely the benefit or pay which the 'vnskillful pen-man' might make by producing manuscript copies that he grudges him. Yet in 1594 a pamphlet by Nashe had probably as high a selling value as any other book of the same length that was being put on the market."—A. W. Pollard, *Shakespeare's Fight with the Pirates*, p. 32.

But I must cry "Hold!" to such reasoning. When I am occupied at a given moment in describing one kind of robbery, surely no one is justified in concluding that I do not believe that other kinds of robbery exist. Nashe's statement can be understood only in relation to the following information:

*The Terrors of the Night* was first published in 1594. On internal evidence, McKerrow considers it probable that it was written in the winter of 1592-93 and before February, 1593. It was entered by Danter on June 30, 1593. McKerrow shows that the text must have been augmented in 1594. The work was again entered by Danter on October 25, 1594, the dedication apparently being written after the printing was begun (McKerrow, *op. cit.*, I, p. 337; and IV, pp. 196-98).

These facts and suppositions support Nashe's remarks but not Pollard's. Nashe gave the copy to Danter a few months after he wrote it. The latter entered it. It is known therefore that no other stationer could publish the work no matter how many scribes' copies were abroad. One would not expect Nashe to tell Lady Elizabeth that he had arranged for publication fifteen months before the book appeared: he, playing the part of gentleman, must indicate that he had been forced into publication. Sometime after June, 1593, Nashe decided not to publish the book: this is the only way in which the early entrance and subsequent nonprinting can be correlated with "a long time since hath it line suppressed by mee." A friend solicited a copy; transcripts grew apace. At length Nashe decided to publish; he

augmented and perhaps revised. Danter, because of the changes and additions in the text, in order to be safe purchased another Company license for sixpence and hence had the book entered again.

(One might, by the way, fairly ask whether any scrivener would be so opposed to his own future profit as to sell a popular manuscript to a printer.)

<sup>4</sup> An examination of Moseley's prefaces indicates quite clearly the problem of publishing correct texts in an age when manuscripts were freely bandied about. See J. C. Reed, "Humphrey Moseley, Publisher," *Oxford Bibliographical Society Proceedings & Papers*, II (1927-30), pp. 57-142. In "The Stationer to the Christian Reader" of Lancelot Andrewe's *Private Devotions* (1647), Moseley wrote: "I must clearely confesse, when these Copies came first to my hand, I resolved to imprint them in my own heart; but considering with my selfe that no man might better excuse the divulging of so usual [*sic*] a booke, then one of my profession, and withall that there were divers manuscripts dispersed abroad, and the Church might be deprived of this genuine Edition, and I of mine owne right, I thought this publication absolutely necessary . . . ." In "To the Reader" of William Cartwright's *Comedies, Tragi-comedies, with other poems* (1651) he wrote: "so strangely scattered were these excellent Peeces that till now they never met all together . . . . We hope you will not imagine here is a Line but what was the Author's own: for, though this be a Posthume Edition, here is no false Codicill, begotten after the Father was buried: he were a bold man (to say no worse) would go about to impose on this Author; from whose own Manuscripts you have this Impression." There is an interesting Postscript to the Cartwright volume, "This Impression hath stood at the Printer's Thresold ready to come forth; but staid for three sheets of our Authour's Manuscript (remaining in the handes of an Honourable Person) which till last week we could not recover; and we would not publish a lame Edition." "An Advertizement to the Reader" of James Howell's *Ah. Ha; Tumulus, Thalamus*, published by Moseley in 1652, reads: "In regard ther are divers imperfect and spurious Copies of these two Poems dispersed abroad, I obtain'd leave of the Author to commit them to the press assuring the Reader that these are concordant with the Originalls." Perhaps the best statement is to be found in *Sir John Suckling: Last Remains* (1659), "But after the several changes of those times, being sequestered from the more serene Contentments of his native Country, He first took care to secure the dearest and choisest of his Papers in the several Cabinets of his Noble and faithful Friends; and among other Testimonies of his worth, these elegant and florid Peeces of his Fancie were preserved in the custody of his truly honorable and vertuous Sister, with whose free permission they were transcribed, and now published exactly according to the Originalls." Thus, Moseley's well-known claim that he had printed from the author's original manuscripts in the Beaumont and Fletcher folio of 1647 can be paralleled by other Moseley statements.

<sup>5</sup> Hazlitt, *op. cit.*, pp. 146-47.

<sup>6</sup> *Miscellaneous Works of George Wither, Fifth Collection, Publications of the Spenser Society*, No. 22 (1877).

<sup>7</sup> Edward Arber (ed.), *Barnabe Googe. Eglogs, Epytaphes, & Son-*

ettes, English Reprints, London, 1871. The volume was entered 1562/3 (I, p. 208): "Recevyd of Raufe newbery for his lycense for pryntinge of a Certayne egloges Ephetaphes and Sonattes wryten by Barnabe Googe. vjd." It was published "for Raffe Newbery."

<sup>8</sup> "Published" here, as elsewhere in the sixteenth and seventeenth centuries, means "exposed to the public eye."

<sup>9</sup> Referring to Googe's dedication, A. W. Pollard commented, "Googe's account of what happened is probably very fairly true. Had he been lying, he would not have confessed that at the time of his return printing had not yet begun, with the implication that by merely compensating Colwell for his loss on reselling the paper or holding it till it could be used on some other book, he could have kept his poems in safe obscurity. It is interesting to note, though we need not lay stress on it, that he assumes that he could have recalled his manuscript, and have left the printer to bear such loss as might result. But it sufficed for him to make consideration for 'the poore Printer' his excuse for publication, and it may suffice for us to point out what a confusing element the existence of busybodies or enthusiasts like Googe's friend Blundeston must have introduced into the book trade."—A. W. Pollard, *Shakespeare's Fight with the Pirates*, p. 30.

If Googe and Blundeston are to be believed, the following analysis is necessary. Blundeston's prefaces were written in May, 1562. If the order of entrances in the Register is a basis for judgment, Newberry (not Colwell) licensed the manuscript sometime in the winter of 1562–63. He did not bring the book to press until March, 1563. Why should he wait? The answer may be that he was required not to print without Blundeston's final permission. Note that Googe speaks of "Necessytie," whereas the preceding sentence implies that the stationer waited for Blundeston's permission before actually beginning printing and that it was for Blundeston to decide whether the copy should "be nowe reuoked." As a matter of fact, Newberry was Googe's publisher, having issued the latter's translation of the first three books of Palingenius' *Zodiacus Vitae* in 1560, the first six books in 1561—and he was to publish the complete translation in 1565. The situation, therefore, of Googe's being able to regain the copy of his poems from a friendly stationer who had already published some of his work and who may have been under some kind of agreement with the giver of the copy is far, far different from the situation in which a stationer is prepared to have a work printed and to establish copyright in it even though he knows that the author is opposed to the publication. Could an author in such a situation revoke the copy or keep the stationer from printing? This question I shall try to answer later.

However, I do not believe too much is to be built on Googe and Blundeston's professions. I think they are a hoax. Gascoigne's poems, as will be seen, were also supposed to have been given by friends to the printer when he was abroad, without the poet's consent and contrary to his wishes. Yet in the second edition (*The Posies*) Gascoigne admits to having been privy to the publication of the first edition.

<sup>10</sup> J. W. Cunliffe (ed.), "The Posies," *The Complete Works of George Gascoigne*, Cambridge University Press, 1907, I, p. 490.

<sup>11</sup> *Ibid.*, I, p. 491.

<sup>12</sup> In the 1575 *Posies*, announcing Gascoigne on the title page as author, published by Richard Smith, the poet in a preface "To the reverende Divines" wrote: "It is verie neare two yeares past, since (I beeing in Hol-lande in service with the vertuous Prince of Orenge) the most part of these Posies were imprinted . . . True it is that I was not unwilling the same shoulde bee imprinted." Giving his reasons why he was "contented too see them imprinted," he added, "These considerations (right reverend) did first move me to consent that these Poemes shoulde passe in print . . . To conclude (right reverend) as those considerations did specially move me at first to consent to the imprinting of these posies, so nowe have I yet a further consideration which moveth mee most earnestly to sue for this second edition or publishing of the same."—Cunliffe, *op. cit.*, I, pp. 3-7.

C. T. Prouty having shown that Gascoigne was in England near the time of the publication of *The Hundreth Sundrie Flowres*, writes, ". . . If we consider that Gascoigne was in England within such a short time of the date of publication and that he later employed a similar trick of a friend of the author's secretly giving a worthy manuscript to a printer, in the case of Sir Humphrey Gilbert's *Discoverie of a Newe Passage to Cataia*, it becomes more probable that Gascoigne prepared the copy for the printer before he left England and wrote the letters to hide his identity."—*RES*, XII (1936), p. 145. See also C. T. Prouty, *George Gascoigne, Elizabethan Courtier, Soldier, and Poet*, Columbia University Press, 1942, pp. 58, 190, *passim*. For Gascoigne's authorship of all the poems in the first edition of the *Posies*, see H. O. White, *Plagiarism and Imitation during the English Renaissance*, Harvard Studies in English XII, Harvard University Press, 1935, pp. 49-53; and C. T. Prouty (ed.), *George Gascoigne's "A Hundreth Sundrie Flowres"*, University of Missouri Studies, XVII, 2 (1942), pp. 19-28.

Gascoigne may have had other reasons than a gentleman's pose for not admitting authorship of the *Flowres*. He may have been afraid of the wantonness and concealed scandal in his pages. The 1575 *Posies* was seized in 1576 by the Stationers' Company on orders of the ecclesiastical censors, The Court of High Commission.—*Records of the Court B*, pp. 86-87; see also Prouty, *George Gascoigne*, pp. 79, 192-94.

<sup>13</sup> Herbert Hartman (ed.), *A Petite Pallace of Pettie His Pleasure*, Oxford University Press, 1938, pp. 3-4.

<sup>14</sup> *Ibid.*, p. 5.

<sup>15</sup> Sir Edward Sullivan (ed.), *"The Civile Conversation" Translated by Pettie and Young*, The Tudor Translations, London and New York, 1925, I, p. 7.

<sup>16</sup> However, Hartman, the latest editor of *A Petite Pallace*, accepts the introductory matter as veracious. *Op. cit.*, pp. xv-xvii.

<sup>17</sup> Nor did the publisher, according to "The Printer to all Readers of this Booke."

<sup>18</sup> Quoted in M. A. Shaaber, *Some Forerunners of the Newspaper in England, 1476-1622*, University of Pennsylvania Press, 1929, p. 262.

<sup>19</sup> The motive behind some of these prefaces in which it is feigned that the manuscript was given to the printer without the author's knowledge or

consent is reflected in what happened to Willoughby's *Avisa*. It was apparently condemned by the bishops in 1599 in their order concerning satirical books (Arber, III, p. 678). Chambers says, "The belated condemnation of 1599 shows that there was some element of scandal in the poem" (*Wm. Sh.*, I, p. 570). Gascoigne and Pettie seem to have been denounced for the publications printed (apparently) without their consent; see Gascoigne's preface to the divines and Pettie's remarks on the shadowing forth of private affairs in some of his stories in the epistle prefixed to *The Petite Pallace* together with his apology in the preface of his translation of Guazzo.

<sup>20</sup> Hazlitt, *op. cit.*, pp. 151-52. Compare with Dorell's preface the following title page: "The Second Report of Doctor John Faustus . . . Written by an English Gentleman student in Wittenberg an University of Germany in Saxony. Published for the Delight of all those which desire Nouelties by a Friend of the same Gentleman . . . 1594."

Cf. also this rather remarkable passage by W. Crashawe in his "The Epistle Dedicatorie" to *Good Newes from Virginia* (1613), by Alexander Whitaker, "Imprinted by Felix Kyngston for William Welby": Whitaker, in Virginia, "hath sent vs this little Treatise, which as I know assuredly to come from him, and to be a great part of it written, and all of it subscribed with his owne hand. So I dare say, if he had thought wee would haue published it, he would otherwise haue adorned it . . ."—(A3v), Scholars' Facsimiles and Reprints, New York [n.d.].

<sup>21</sup> A copy is in the Rare Book Room of The Ohio State University Library.

<sup>22</sup> Hazlitt, *op. cit.*, pp. 379-80.

<sup>23</sup> *Ibid.*, pp. 202-3. But E. G. Morice has no doubt, apparently, that Breton was the author; see his Introduction to *Two Pamphlets of Nicholas Breton, Grimmellos Fortunes* (1604), *An Olde Mans Lesson* (1605), Bristol, 1936.

<sup>24</sup> Quoted in Shaaber, *op. cit.*, p. 268.

<sup>25</sup> Herbert Hartman (ed.), *Surrey's Fourth Booke of Virgil*, Oxford University Press, 1933. Hartman dates the publication September, 1554, and says, "Of the publisher William Owen (or Awen) operating at the Sign of the Cock in Paternoster Row, nothing definite is known" (p. xiv).

<sup>26</sup> Albert Feuillerat (ed.), *The Complete Works of Sir Philip Sidney*, Cambridge University Press, 1922, II, pp. 369-70.

<sup>27</sup> Edward Arber (ed.), *Apologie for Poetrie*, English Reprints, London, 1868, p. 16. The variants between Q 1 (Ponsonby) and Q 2 (Olney) are recorded in Feuillerat, *op. cit.*, 1923, III, pp. 378-85. Olney's edition, besides presenting a slightly different text, includes four Henry Constable sonnets "to . . . Sidney's soule." There is still extant another sixteenth-century MS; see *ibid.*, pp. 377-78. The work, thus, seems to have been widely circulated before printing. The agreement referred to in the Register between the publishers appears to have been an amicable one, for Olney's sheets were reissued by Ponsonby who used his own title page; see the introductory note to *Philip Sidney. Defence of Poesie*, Noel Douglas Replicas, London, 1928.

<sup>28</sup> Joseph Haslewood (ed.), *Mirror for Magistrates*, London, 1815, I, p. 352.

<sup>29</sup> *Ibid.*, I, p. 347.

<sup>30</sup> Quoted in Shaaber, *op. cit.*, p. 281.

<sup>31</sup> G. D. Willcock and Alice Walker (eds.), "*The Arte of English Poesie*" by George Puttenham, Cambridge University Press, 1936, pp. xi, civ-cvi. They base their hypothesis on bibliographical evidence.

<sup>32</sup> E. de Sélincourt (ed.), *Spenser's Minor Poems*, Oxford, 1910, p. 125.

<sup>33</sup> F. M. Padelford (ed.), *The Axiochus of Plato, Translated by Edmund Spenser*, Johns Hopkins Press, 1934.

<sup>34</sup> Whether the translation of *Axiochus* be by Spenser or not has been rather hotly debated. See Bernard Freyd's "Spenser or Anthony Munday—A Note on the *Axiochus*," *PMLA*, l (1935), pp. 903-8; and F. M. Padelford's rebuttal, *ibid.*, pp. 908-13. Freyd selects Munday as the real author. Padelford thinks Burby's title page tells the truth. The Munday ascription is supported by M.W.S. Swan, "The *Sweet Speech* and Spenser's (?) *Axiochus*," *ELH*, XI (1944), pp. 161-81. In my text I take the liberty of trusting Burby's title page. Swan's attempt to impugn its credibility by discussing the trade sins of Burby, the publisher, and Charlewood and Danter (?), the printers, is quite beside the point. If Swan's further hypotheses be right, Burby deliberately put Spenser's name down although he knew that the real author was Munday. This is exceedingly improbable. That Burby *definitely* knew who did the translation is also improbable. That he *thought* the author was Spenser is probable—and fits the facts of his title page and epistle.

<sup>35</sup> Sidney Lee (ed.), *Elizabethan Sonnets*, New York [n.d.], II, p. 353.

<sup>36</sup> *Ibid.*, II, p. 355.

<sup>37</sup> *Ibid.*, II, p. 424.

<sup>38</sup> Microfilm from Henry E. Huntington Library.

<sup>39</sup> In "To the Reader," signed "R. Dallington," of *Aphorismes Civill and Militarie . . . London, Imprinted for Edward Blount. 1613*. Copy in the Rare Book Room of The Ohio State University Library. Nothing could be clearer concerning the Elizabethan opinion that surreptitious publication was not a crime than Dallington's choosing as his publisher of *Aphorismes* the very man who had previously published one of his works without his authorization.

<sup>40</sup> L. C. Martin (ed.), *The Works of Henry Vaughan*, Oxford, 1914, I, p. 36.

<sup>41</sup> Moseley's attitude toward unauthorized publication is the same as that of the stationers before 1640. See his prefaces in J. C. Reed, *loc. cit.* "A Correct Copy" of Cowley's *The Mistress* falls into his hands and he publishes it (1647) "chiefly because I heare that the same is like to be don from a more imperfect one." He is quite sure that the author, whom he has never met, will forgive his "boldnesse, which proceedes onely from my Love of Him." Similarly, Moseley publishes Robert Heath's *Clarastella* (1650): "Gentlemen, I Presume upon your Candour in the Entertainment of these Poems; otherwise I should despair of the Authours mercy; I confesse my presumption great, that haue ventured to the Press without his knowledge . . ."

<sup>42</sup> Martin, *op. cit.*, II, pp. 390-92.

<sup>43</sup> Further evidence may, I think, be discovered in a letter by Vaughan to John Aubrey, June 15, 1673, in which the poet has set down (*ibid.*, II, p. 668):

What passed into the presse from me, this short Catalogue comprehends;

Silex Scintillans: Sacred poems & private Ejaculations in two bookes:

The Mount of Olives: or solitarie Devotions.

*Olor Iscanus*: A Collection of some poems & translations: printed for Mr Humphrey Moseley.

*Flores Solitudinis*: A translation of some choice peeces out of the Latine, With the life of Paulinus Bishop of Nola, collected out of his owne writings, and other primitive Authours.

Nollius his *Systema medicinae Hermeticum*, & his discourse *dè generatione* done into English. To these you may adde (if you thinke it fit,)

*Thalia Rediviva*, a peece now ready for the presse, with the Remaines of my brothers Latine Poems (for many of them are lost,) never published before: butt (I believe) wilbe very wellcome, & prove inferiour to none of that kind, that is yet extant.

Vaughan's notation for *Olor Iscanus* differs from those for all the other volumes. Why? The name of the publisher seems to indicate that Moseley and not Vaughan was to be held responsible for the printing of the volume.

Beeching thought that the friend who gave Moseley the volume was Henry Vaughan's brother, Thomas. The latter "in all probability is responsible also for the Publisher's Preface" (*Poems of Henry Vaughan*, The Muses' Library [London and New York, n.d.], p. xxv). Beeching was guessing. I do not believe Thomas would have had the poems published against his brother's will. But the beginning lines of Thomas' prefatory "Upon the Following Poems,"

I write not here, as if thy last in store  
Of learned friends: 'tis known that thou hast more;  
Who, were they told of this, would find a way  
To rise a guard of Poets without pay,  
And bring as many hands to thy edition,  
As th' City should unto their May'r's petition . . . .

do indicate that Thomas had written his lines for a printed edition and not a manuscript collection. However, one might hold that it was Henry's good friend Thomas Powell who gave Moseley the manuscript of *Olor Iscanus*, for the publisher entered one of Powell's works the same day and in the next entry after *Olor Iscanus* (Eyre, I, p. 365). This hypothesis is supported by the title page's "Published by a Friend," the first word having the old meaning of "given to the press." Furthermore, Thomas' lines, together with a dedication by Henry to Lord Kildare Digby dated December 17, 1647, might be interpreted as meaning that Henry Vaughan intended to publish the volume in 1647-48; that his brother wrote "Upon the Following Poems" for the contemplated edition; that the venture for some reason was given up; and that Moseley, given the manuscript by Powell or someone else, published the volume after Vaughan's name had become known through the publication in 1650 of *Silex Scintillans*.

This discussion of *Olor Iscanus* was written before reading two articles which thoroughly investigate its first publication: W. R. Parker, "Henry Vaughan and His Publishers," *Library*, 4th Series, XX (1939-40), pp. 407-

11; and H. R. Walley, "The Strange Case of *Olor Iscanus*," *RES*, XVIII (1942), pp. 27-37. Parker's conclusions reached independently are almost exactly the same as mine.

<sup>44</sup> F. S. Boas (ed.), *The Poetical Works of Giles Fletcher and Phineas Fletcher*, Cambridge University Press, 1909, II, p. 345.

<sup>45</sup> Ethel Seaton (ed.), *Venus & Anchises (Brittain's Ida) and Other Poems by Phineas Fletcher*, Oxford, 1926.

<sup>46</sup> One can understand the rector of Hilgay's reluctance subsequently to acknowledge in some way his authorship of this juvenile and pagan poem; see *ibid.*, pp. xxiii-iv. A. B. Langdale's theory—that Fletcher was privy to the publication, that he agreed to the ascription to Spenser, and that the intermediary between the cautious parson and the publisher was Benlowes—is baseless; see his *Phineas Fletcher, Man of Letters, Science and Divinity*, Columbia University Press, 1937, pp. 94-96.

<sup>47</sup> H. E. Rollins (ed.), *Tottel's Miscellany 1557-1587*, Harvard University Press, 1928-29.

<sup>48</sup> *Ibid.*, II, pp. 85-86.

<sup>49</sup> H. E. Rollins (ed.), *The Paradise of Dainty Devices (1576-1606)*, Harvard University Press, 1927.

<sup>50</sup> *Ibid.*, p. xlii.

<sup>51</sup> H. E. Rollins (ed.), *A Poetical Rhapsody*, Harvard University Press, 1931-32.

<sup>52</sup> *Ibid.*, II, pp. 36-52.

<sup>53</sup> "Belvedere, Or the Garden of Muses," *Englische Studien*, XLIII (1911), p. 199.

<sup>54</sup> H. E. Rollins (ed.), *England's Helicon*, Harvard University Press, 1935, II, pp. 43-44, 48.

<sup>55</sup> *Ibid.*, II, pp. 48-49.

<sup>56</sup> *Ibid.*, II, pp. 52-58.

<sup>57</sup> *Ibid.*, II, pp. 60-62. Rollins sums up his conclusions concerning these four miscellanies on II, p. 60: "It should now be clear that *Politeuphuia*, *Wit's Theater*, *Belvedere*, and *England's Helicon* are the work of a literary coterie in honor of one patron. To reiterate, all four are dedicated to that patron, John Bodenham, whose coat-of-arms appears in *Belvedere* and the *Helicon*. A. B. wrote the dedication to Bodenham in the *Helicon* and contributed verses to *Belvedere* in praise of the editor A. M.'s work. A. M.—or Anthony Munday—dedicated *Belvedere* to Bodenham, and was praised in a sonnet by A. B. Robert Allot edited *Wit's Theater* and in all probability was the R. A. who wrote complimentary verses for Ling's *Politeuphuia*. Another anthology of his, *England's Parnassus*, 1600, was published by Nicholas Ling and partners [Cuthbert Burby and Thomas Heyes]. That bookseller's name crops up here and there with noticeable persistence. Thus Ling published *Politeuphuia* and *Wit's Theater*, writing the dedication to and editing the former. He was a partner of John Flasket, publisher of the *Helicon*, and in that book the preface to the reader is signed 'L. N.,' which Bullen in a foot-note explained as 'the transposed initials of Nicholas Ling.'"

I would agree that the Hebel-Rollins case for Ling's editorship of *England's Helicon* is sound, but Rollins' statement that Ling was the



partner of Flasket is surely erroneous. What can be the source of his error? Incidentally, there is a great deal of information in C. J. Sisson's *Lost Plays of Shakespeare's Age*, Cambridge University Press, 1936, concerning John Flasket and some of his fellow stationers.

<sup>58</sup> *Bodenham's Belvedere*, Reprinted from the Original Edition of 1600, Publications of the Spenser Society, No. 17 (1875).

<sup>59</sup> Rollins, *England's Helicon*, I, pp. 5-6.

<sup>60</sup> *Ibid.*, II, p. 23.

<sup>61</sup> *Ibid.*, II, p. 26.

<sup>62</sup> *Ibid.*, II, p. 27. (However, Ling and Drayton were friends; see J. W. Hebel, "Nicholas Ling and 'England's Helicon,'" *Library*, 4th Series, V [1925], pp. 158-60.)

<sup>63</sup> Rollins, *England's Helicon*, II, p. 28.

<sup>64</sup> *Ibid.*, II, pp. 31-33. Munday was connected with the Bodenham group; see above.

<sup>65</sup> *Ibid.*, II, pp. 26-27.

<sup>66</sup> *Ibid.*, II, p. 25.

<sup>67</sup> *Ibid.*, II, p. 29; see II, p. 88.

<sup>68</sup> *Ibid.*, II, p. 26.

<sup>69</sup> *Ibid.*, II, pp. 28, 31.

<sup>70</sup> *Printers and Booksellers 1557-1640*, p. 159.

<sup>71</sup> H. E. Rollins (ed.), Harvard University Press, 1933. The volume was entered by Jones, May 3, 1591 (II, p. 581).

<sup>72</sup> Rollins (ed.), *Brittons Bowre of Delights*, pp. xvi-xviii.

<sup>73</sup> *Ibid.*, pp. xiii-xv.

<sup>74</sup> *Ibid.*, pp. xv-xvi. One of my colleagues, pointing to the frequent reprinting of poems among the various miscellanies, takes exception to my view that stationers respected the copyright of printed poetry more than they respected author's rights in unpublished poetry. I agree that the copyright of isolated individual poems does not appear to have bothered the miscellanists much, but the reprinting of individual poems and the reprinting of a corpus of poems must have been regarded as altogether different matters. That the miscellanists were conscious of the problem of copyright violation even in the matter of individual poems is indicated above, in "To the Reader" of *England's Helicon*. I suppose that no stationer would want to go to the trouble of defending his copyright in one or two or three short poems which another stationer included in a miscellany or songbook. Nevertheless, that the Stationers' Company was ready to punish severely even small infractions of copyright is witnessed in 1603 by its fining one stationer a pound for utilizing only six pages of another stationer's book: see below, Chapter IV, note 88.

<sup>75</sup> Sidney Lee (ed.), *The Passionate Pilgrim, Being a Reproduction in Facsimile of the First Edition*, Oxford, 1905, pp. 22-45. Actually Lee's exemplar was not the first but the second edition. Concerning the true first edition, see the Introduction to J. Q. Adams (ed.), *The Passionate Pilgrim By William Shakespeare: Reproduced in Facsimile from the Unique Copy in the Folger Shakespeare Library*, New York and London, 1939.

<sup>76</sup> Chambers suggests that this poem may be by Shakespeare; *Wm. Sh.*, I, p. 548.

<sup>77</sup> R. H. Perkinson (ed.), *An Apology for Actors* (1612), Scholars' Facsimiles & Reprints, New York, 1941.

<sup>78</sup> W. C. Hazlitt (ed.), *Inedited Tracts*, Roxburghe Library, 1868, pp. 3-4. The volume was reissued in 1586 under the title, *The English Courtier, and the Cuntrey-gentleman*. I do not for a moment believe that Jones' professions are true, for after the dedication two and one-half pages of prefatory matter labeled, "The Avcthour, to the Gentleman Readers," are found. This certainly makes it appear that he was both privy and consenting to the publication. Nevertheless, the information concerning surreptitious publication derived from Jones' preface is not impugned.

<sup>79</sup> Lee, *Elizabethan Sonnets*, II, p. 139.

<sup>80</sup> F. Sidgwick (ed.), *The Poetry of George Wither*, London, 1902, I, pp. 77-79. Wither was in prison in 1613 because of his *Abuses Stript and Whipt* (*ibid.*, p. xxv). He was again in prison in 1621 because of *Wither's Motto* which he sold to the publisher after "Mr. Taverner refused him licence to print it"; Marriot, the publisher, said the book "was not called in question till the first impression was sold and the second preparing, which Mr. Taverner licensed after striking out certain passages"; another stationer "thought Wither's Motto was only questioned because printed without licence from the Stationers' Company" (*ibid.*, pp. xxix-xxx).

<sup>81</sup> *Ibid.*, II, pp. 3-4.

<sup>82</sup> Two more points may be noted. There is no talk of Marriot's remunerating Wither, and the stationer printed the poet's name on the title page in disregard of the words of the epistle.

<sup>83</sup> D. C. Allen (ed.), *Essayes By Sir William Cornwallis the Younger*, Johns Hopkins Press, 1946, p. 3. In subsequent editions the signature is merely H. O. "In the edition of 1600 the signature is written 'Henry Olney' and he is usually thought to be the printer of that name who issued Sidney's 'Apologie'." There is, however, no grounds for this association. It is equally doubtful that this volume was issued without Cornwallis' consent.—*Ibid.*, p. 250.

<sup>84</sup> Edward Arber (ed.), *Micro-Cosmographie by John Earle*, English Reprints, London, 1869.

<sup>85</sup> *Notes and Queries*, 4th Series, VIII (1871), pp. 363, 475, 508; and IX (1872), p. 33.

<sup>86</sup> Edward Hyde, *The Life of Edward Earl of Clarendon*, Oxford, 1857, I, pp. 40, 47-48.

<sup>87</sup> Quoted in H. T. Price, "Another Shorthand Sermon," in *Essays and Studies in English and Comparative Literature*, University of Michigan Publications, Language and Literature X, University of Michigan Press, 1933, p. 168.

<sup>88</sup> Quoted *ibid.*, pp. 167-68.

<sup>89</sup> E. E. Willoughby, *A Printer of Shakespeare*, London, 1934, pp. 82-83.

<sup>90</sup> Price, *op. cit.*, p. 166. A study of the title pages, prefaces, et cetera, in Henry Smith's sermons which purported to have been taken down in

shorthand and also of the title pages, imprints, preliminary matter of the corrected versions which sometimes followed the corrupt texts should be very fruitful concerning the various aspects of surreptitious publication covered in this chapter. I have not seen these volumes, and I hesitate to base any conclusions on the secondary information in Thompson Cooper, "The Early Use of Shorthand," *Notes and Queries*, 8th Series, X (1896), pp. 189-90; and Max Förster, "Shakespeare and Shorthand," *Philological Quarterly*, XVI (1937), p. 6.

<sup>91</sup> Hazlitt, *Prefaces Dedications Epistles*, p. 205.

<sup>92</sup> W. W. Greg (ed.), *Henslowe's Diary*, London, 1904.

<sup>93</sup> *State Papers, Domestic—Elizabeth*, Vol. CXCV, quoted in M. W. Wallace, *The Life of Sir Philip Sidney*, Cambridge University Press, 1915, p. 232.

<sup>94</sup> The assumption that it was seen through the press by Greville has been validated recently; see H. H. Hudson, "An Oxford Epigram-Book of 1589," *Huntington Library Quarterly*, II (1938-39), pp. 216-17. There are still extant eight MSS of the original *Arcadia*, which Greville says were so "common"; see Margaret Beese, "Manuscripts of Sidney's *Arcadia*," *TLS* (May 4, 1940), p. 224. Greville is witness to Sidney's desire that the work be destroyed; see Nowell Smith (ed.), *Sir Fulke Greville's Life of Sir Philip Sidney*, Tudor and Stuart Library, London, 1907, pp. 16-17.

<sup>95</sup> Citing the stopping of the publication of *Arcadia* noted above, McKerrow wrote, "It is probable that in the event of any gross infringement, actual or proposed, of an author's rights, an appeal to the authorities would have resulted in pressure being brought to bear on the delinquent, which, even if not in strict accordance with legal forms, would have been difficult to resist."—*An Introduction to Bibliography for Literary Students*, p. 143. McKerrow, here, recognized that such pressure really involved a violation of the stationers' rights.

<sup>96</sup> Edward Arber (ed.), *A Harmony of the Essays etc. of Francis Bacon*, English Reprints, London, 1871, p. 4.

<sup>97</sup> A. W. Pollard, "Bibliographical Note," in *The Essays Colours of Good and Evil & Advancement of Learning of Francis Bacon*, Library of English Classics, London, 1900, p. vi. There is further evidence that the book had been printed by February 7. W. Aldis Wright refers to "a letter of Anthony Bacon's to the Earl of Essex, written on the 8th of February 1596 [7], which appears to have accompanied a presentation copy of the Essays."—*Bacon's Essays*, Golden Treasury Series, London, 1896, p. ix.

<sup>98</sup> Pp. 28-29.

<sup>99</sup> A. C. Sprague (ed.), *Samuel Daniel: Poems and a Defence of Rhyme*, Harvard University Press, 1930, p. xiii. Harry Sellers, "A Bibliography of the Works of Samuel Daniel, 1585-1623," *Oxford Bibliographical Society Proceedings & Papers*, II (1927-30), p. 32. Newman indicated Daniel's authorship with "Finis, Daniel" after the twenty-eighth sonnet.

<sup>100</sup> Sprague, *op. cit.*, p. 9. Note that Daniel says bluntly that in order to escape surreptitious publication of "vncorrected" copies of his work, he was "forced" to have the work printed by copies from his own hand.

<sup>101</sup> *DNB*, XIV, pp. 25-26.

<sup>102</sup> "The first quarto is altered in some three hundred and fifty places, almost always for the better . . ."—Mona Wilson, *Sir Philip Sidney*, London, 1931, p. 168. A. W. Pollard agrees that the second edition was produced with the permission and perhaps at the behest of Sidney's family; see his *Sir Philip Sidney's Astrophel & Stella*, London, 1888, p. xxxv.

<sup>103</sup> There was a third quarto of *Astrophel and Stella*, undated, for Matthew Lownes. Most editors call this edition (which is merely a bad reprint of all of Q 1) the second edition. Flügel, however, for I know not what reason or reasons, considered it the third edition; *Sir Philip Sidney's Astrophel and Stella*, Halle, 1889, pp. lxxv-lxxvi. I believe he was right. Newman's two editions came out in the latter half of 1591. Lownes, however, was only made free of the Company on October 11, 1591 (II, p. 710). Since Newman was in trouble over Q 1 in the middle of September, it is hardly probable that Lownes would have issued a line-by-line reprint of the offending edition not long after its confiscation. Furthermore, Newman's reformed edition must have come out not long after September, 1591, since it is dated 1591. I would date Lownes' edition after 1593, for Newman is not known to have published after that year. "After 1593" means, furthermore, some time after the trouble concerning Q 1 had been forgotten. Lownes' edition must have come out before October 23, 1598 (III, p. 128), on which day Ponsonby, then Junior Warden, entered the work under the Senior Warden's hand.

<sup>104</sup> Quoted in H.J.C. Grierson (ed.), *The Poems of John Donne*, Oxford, 1912, II, pp. lxvi-vii.

<sup>105</sup> I incline to Jessop's view of him (*DNB*, XV, p. 234) rather than to Gosse's milder one, in *The Life and Letters of John Donne*, New York and London, 1899, II, p. 319.

<sup>106</sup> How solicitous young Donne was of his father's wishes may be gathered from his "Epistle Dedicatory" to *Biathanatos* (1646?): "It was writ, long since, by my Father, and by him forbid both the Presse, and the Fire"—but he has been forced to publish it, he claims, because a thief might steal the MS from his study and publish it under the thief's name.

<sup>107</sup> It is known by Bishop Henry King's testimony that after Donne Senior on his deathbed had made the former his literary executor, the son had filched the papers. A bequest in the son's will of MSS to King corroborates the latter's story. See Geoffrey Keynes, *A Bibliography of the Works of Dr. John Donne*, second edition, Cambridge University Press, 1932, p. 163.

<sup>108</sup> All new publications of Donne's works after 1637 bear evidence on the title page or in dedication, preface, epistle, et cetera, that they were put forth under the son's jurisdiction.

<sup>109</sup> Quoted in *DNB*, XV, p. 232. See note III, also.

<sup>110</sup> To the 1650 issue of the 1649 edition of the *Poems* he contributed a dedication to Lord Craven, and in 1652 he "republished" the *Problems and Paradoxes* and *Ignatius His Conclave* (with other matter) in a single volume.

<sup>111</sup> The younger Donne's duplicity in stating his case against the three

London stationers is complemented by his apparent duplicity in another controversy with a stationer. I quote a letter by J. Milton French to *TLS*, December 12, 1936, p. 1035:

In view of the complexity of John Donne's bibliography, I was interested to discover a Chancery suit which affords some details of the posthumous publication of his sermons. The records consist of a bill brought on November 14, 1648, by Francis Bowman, stationer of Oxford and London, and the answer to it on December 15, 1648, by Donne's son John, D.C.L. of Oxford. These proceedings are to be found in the Public Record Office (press-mark C8/118/14).

Bowman brought suit against young Donne for breach of faith in the publication of the sermons. He claimed that Donne came to him in September, 1639, to arrange for the publication of fifty sermons of his father's, to which he professed to have rightful title. Bowman asserted that he paid Donne £50 for them as agreed upon, and gave Donne a bond for £100 to publish them within five years. But before he had time to print them, Donne arrived with eighty more sermons to demand that Bowman buy these also and publish them. On Bowman's refusal, he whisked off to Miles Fletcher and John Marriot, sold the new sermons to them for a large amount, and persuaded them to publish them before Bowman could finish his. To make matters worse, Donne spread the report that the original fifty sermons were imperfect, unlicensed, and even spurious. Finally, when Bowman declined to proceed with his bargain under circumstances so ominous, Donne sued him at Common Law. In desperation Bowman now begged a writ against Donne.

Donne's answer dismissed the bill as pure malice. He admitted that he had disposed of the aforesaid fifty sermons to Bowman, contending however that they were genuine and licensed. But he retorted that Bowman had cheated him, in that he had kept more than the specified number of sermons, and paid the £50, not to Donne, but to two ancient servants of his father's, Thomas Roper and Robert Christmas, who had transcribed them. Since Bowman failed to fulfil his bargain, Donne was justified in suing him. He had made no agreement with other printers, he protested, till after making sure that Bowman had no intention of printing the original fifty.

This suit deserves further investigation. The final decree in the case, unfortunately, has not come to light, nor any depositions or reports concerning it. But the books of Decrees and Orders might yield entries which are omitted from the indexes, and the records of Common Law actions might contribute helpful information. Other suits involving Bowman might be discoverable. Since I am at present unable to make further search among the records, I suggest that some scholar who has access to the Record Office should carry on these investigations.

<sup>112</sup> Grierson describes numerous manuscripts belonging to the years 1620-33 which are more or less complete collections of Donne's verse. *Op. cit.*, II, pp. lxxxii-cxii.

<sup>113</sup> *Ibid.*, II, p. cxix, *passim*.

<sup>114</sup> *Ibid.*, I, p. 1.

<sup>115</sup> According to Grierson, the 1633 volume is the most trustworthy of the original editions and is even superior to the MSS (*ibid.*, II, pp. cxv-vi, cxxi).

<sup>116</sup> Grierson conjectured "that King *may* have been the editor behind Marriot of the *Poems* in 1633" (*ibid.*, II, p. 255).

<sup>117</sup> Grierson is definitely wrong in his conclusions as to the effect of the petition to Laud. He writes, "Despite this injunction the edition of 1639 was issued, as the previous ones had been, by Marriot and M. F. It was not till ten years later that the younger Donne succeeded in establishing his claim. In 1649 Marriot prepared a new edition, printed as before by M. F. The introductory matter remained unchanged . . . The younger Donne intervened before the edition was issued, and either by authority or agreement took it over. Marriot remained the publisher . . . [In the imprint]

the initials of the printer, M. F., disappear, and the name of John Marriot's son, partner, and successor, Richard, appears along with his own . . . . With M. F. went the introductory *Printer to the Understanders*, its place being taken by a dedicatory letter in young Donne's most courtly style to William, Lord Craven, Baron of Hamsted-Marsham."—*Ibid.*, II, pp. lxxvii–lxx; see also II, p. lix.

When one examines the collation of the two issues, however, one finds that what the printer did was not to reset his formes but to use A3–A4r which he had used for *The Printer to the Understanders* as space for the dedication. In both the 1649 and 1650 issues the text begins on B1 recto. Furthermore on A4 verso in both issues is (as in the previous editions) *Hexastichon Bibliopolae*, signed "Jo. Mar." It was he and not Flesher who was responsible for the *Poems*. (No mention of Flesher occurs in young Donne's petition.) Of course, as Gosse recognized (*op. cit.*, II, p. 302) by "*The Printer*," Marriot, the venturer of the volume, and not Flesher is meant—this is self-evident in the content of this prefatory matter. (Ponsonby, likewise, titles his preface "The Printer to the Gentle Reader" in Spenser's *Complaints*, 1591.) Marriot speaks, for instance, of his "charge and paines in procuring" the copy (Grierson, *op. cit.*, I, p. 1).

Thus nothing can be built on the fact that *The Printer to the Understanders* has disappeared, to prove that Donne Junior had gained control of the volume. Marriot's name is on the title page and in the preface as the owner of the copyright. The initials M. F. probably disappeared from the new title page simply because there was no room for them, as one can guess by comparing the title pages of the 1649 issue and the 1650 issue (*ibid.*, II, pp. lxxviii–ix). The Flesher firm printed the fifth edition of the poems in 1654.

Grierson evidently did not know that in 1640 Donne Junior had entrusted *LXXX Sermons* and *Fifty Sermons* to Flesher and Marriot. See the entrance of the first on January 3, 1640 (IV, p. 494) and the entrance of the second on February 19, 1640 (IV, p. 499). *LXXX Sermons* appeared in 1640 "Printed for Richard Royston . . . and Richard Marriot"—Flesher's device appears on the title page (McKerrow, No. 308); *Fifty Sermons* came out in 1649, "[Ja]mes] Flesher for M[iles] F[lesher] J. Marriot, and R. Royston." It is incorrect therefore to assume that there was any ill feeling between Flesher and Donne's son after 1640. It might be added that in 1651 Richard Marriot published *Essayes in Divinity*. "Now made publick by his Son J. D. Dr of the Civil Law."

<sup>118</sup> Gosse, *op. cit.*, I, p. 254. I might add that Walter Burre to whom Donne entrusted the publication of *Pseudo-Martyr* in 1609 (which he dedicated to King James) was also chosen by him in 1611 to publish *Conclave Ignati* (see Arber, III, p. 451).

<sup>119</sup> Keynes, *op. cit.*, p. 8.

<sup>120</sup> E. M. Simpson, "Two Manuscripts of Donne's *Paradoxes and Problems*," *RES*, III (1927), pp. 129–45; and "More Manuscripts of Donne's *Paradoxes and Problems*," *RES*, X (1934), pp. 288–300.

<sup>121</sup> Geoffrey Keynes (ed.), *Paradoxes and Problemes by John Donne*, London, 1923, pp. v–vii. The note referring to Herbert's being called in

reads "Nov. 14. Star Chamber . . . Sir Henry Herbert to give account on the same day why he warranted the book of Dr. Dun's Paradoxes to be printed 'By the King's command delivered by the Bishop of London.'"—*State Papers, Domestic, 1631-1633*, p. 437.

<sup>122</sup> Either Moseley or Donne's son was able to make additions to both the paradoxes and the problems.

<sup>123</sup> W. P. Barrett (ed.), *The View of Fraunce 1604*, Shakespeare Association Facsimiles No. 13, Oxford, 1936, p. vi. The *Method* is preceded by an outline and followed by a page of six errata. Some of the errors may have been in Stafford's MS or made by Stafford's compositor, but some of the corrections are certainly corrections by Dallington of Dallington's original errors; see *ibid.*, p. x.

<sup>124</sup> Microfilm from the Henry E. Huntington Library. In his *Aphorismes Civill and Militarie* (1613), Dallington in "To the Reader" wrote: "Please you but remember how I long since disclaimed the publication of the *View of France* and *Survey of Tuscany*, (though I could not disauow the things themselves)." A copy of *Aphorismes* is in the Rare Book Room of The Ohio State University Library.

<sup>125</sup> Ernest Law (ed.), *The Vision of the Twelve Goddesses*, London, 1880, p. 57.

<sup>126</sup> Quoted in Chambers, *Eliz. Stage*, III, p. 281. The date of the letter shows us that Allde's edition came out very soon after the Court production.

<sup>127</sup> Law, *op. cit.*, p. 50.

<sup>128</sup> A. W. Pollard was wrong when he held that Nashe was able to deprive Richard Jones, after a supposed surreptitious first edition, of his copyright in *Pierce Pennilesse*; see his *Shakespeare Folios and Quartos*, p. 3. McKerrow clears up the matter in *The Works of Thomas Nashe*, IV, p. 77.

<sup>129</sup> Quoted in Shaaber, *op. cit.*, pp. 267-68.

<sup>130</sup> My conclusions are substantially the same as Shaaber's; see *ibid.*, p. 268, footnote 18.

<sup>131</sup> Microfilm from the Henry E. Huntington Library.

<sup>132</sup> Lily B. Campbell, *Shakespeare's Tragic Heroes*, Cambridge University Press, 1930, p. 58, footnote 1: "The second edition [of *The Passions of the minde*] . . . follows the first closely except that it makes certain additions . . ." This is what Wright himself tells us.

<sup>133</sup> Geoffrey Keynes, *A Bibliography of Sir Thomas Browne*, Cambridge University Press, 1924, p. 2. Keynes describes these manuscripts, pp. 2-4.

<sup>134</sup> *Printers and Booksellers 1641-1667*, pp. 56-57.

<sup>135</sup> I have copied this letter from the second authorized edition, 1645, in the Rare Book Room of the University of Michigan Library. See also Browne's signed "To the Reader."

<sup>136</sup> W. A. Greenhill (ed.), *Religio Medici etc.*, Golden Treasury Series, London, 1906, p. ix.

<sup>137</sup> *Ibid.*, p. ix.

<sup>138</sup> *Ibid.*, p. ix.

<sup>139</sup> *Ibid.*, p. viii, n. 3.

<sup>140</sup> If any one wonders why Croke published Browne's letter which denounces the stationer's earlier editions, he does little credit to Croke's business acumen. Those who had bought the unauthorized edition would feel compelled to buy the authorized one.

<sup>141</sup> *DNB*, XXXI, pp. 438-39.

<sup>142</sup> *Printers and Booksellers 1641-1667*, p. 78.

<sup>143</sup> *Sweet & Maxwell's Legal Bibliography*, Vol. I to 1650, London, 1925, p. 177.

<sup>144</sup> (a) On May 4, 1611 (III, p. 458), Stansby entered a book which on August 12, 1611 (III, p. 463) was entered to Stansby and Eld. (b) On September 3, 1604 (III, p. 269), Waterson "Entred for his copies, certen copies which were Master ponsonbies." Among them was Sidney's *Arcadia*; on November 5, 1604 (III, p. 274), Waterson and Matthew Lownes "Entred for their copie the Book called the *Arcadia* By Sir Philip Sidney."

<sup>145</sup> On August 14, 1600, Burby and Burre entered *Every Man in His Humour* (III, p. 169). In 1601 a quarto appeared with Burre's name alone on the title page. This was the only quarto which appeared. In 1609, Burby's widow assigned her husband's share of the copyright to Welby (III, p. 421).

<sup>146</sup> I have not examined the two editions of *Archeion*. Their title pages are copied from Library of Congress cards.

<sup>147</sup> R. B. McKerrow, "Edward Allde as a 'Typical Trade Printer,'" *Library*, 4th Series, X (1929-30), p. 123.

<sup>148</sup> Quoted in *Wm. Sh.*, II, p. 194.

<sup>149</sup> Sidney Lee (ed.), *Shakespeares Sonnets Being a Reproduction in Facsimile of the First Edition 1609*, Oxford, 1905, pp. 40-48.

<sup>150</sup> This is Lee's opinion (*ibid.*, pp. 37-40), and I have seen nothing which shakes his careful interpretation of the dedication.

<sup>151</sup> *Ibid.*, pp. 28-31. One need not elaborate the point that Aspley and Eld, with whom Thorpe had frequent dealings throughout his career, were thoroughly respectable stationers. So, incidentally, were two other book-sellers found coupled with his name, Walter Burre and Edward Blount.

<sup>152</sup> (a) "A speach delivered, to the Kings most excellent Maiestie in the name of the Sheriffes of London and Middlesex. By Maister Richard Martin of the Middle Temple. At London Imprinted for Thomas Thorppe, and are to be sould by William Aspley. 1603." (b) "A Letter written to the Right Worshipfull the Governovrs and Assistants of the East Indian Marchants in London . . . At London Imprinted for Thomas Thorpe, and are to be sould by William Aspley 1603." (c) "A Succinct Philosophicall declaration of the nature of Clymactericall yeeres . . . Written by T: W: London Printed for Thomas Thorpe, and are to be sold . . . by Walter Burre. 1604." (d) "Wits A. B. C. or A Centurie of Epigrams . . . Printed for Thomas Thorp, and are to be sould at the signe of the Tigershead in Paules Church-yard"—this is Aspley's address. The usual imprint on Thorpe's books is "Printed for Thomas Thorp."

<sup>153</sup> Lee, *Shakespeare's Sonnets*, p. 31.

<sup>154</sup> *Printers and Booksellers 1557-1640*, p. 56.

<sup>155</sup> That it was not necessary for a stationer to own a retailing shop in



order to publish books is illustrated by "An Advertisement To All Gentlemen, Book-sellers, or others." at the back of *The Roman History of Lucius J. Florus* which was "Printed by T. J. for Samuel Speed . . . 1669": "Whereas Samuel Speed Book-seller, hath lately undertaken a Whole-sale Trade for Books, not making any appearance of that Imployment by Retailing in a Shop as formerly he did, etc. . . ." This book is owned by the Early Modern English Dictionary at the University of Michigan.

<sup>156</sup> My words following are not to be interpreted as meaning that the procuring and selling of manuscripts was considered a disgraceful business in Shakespeare's day. In *Some Forerunners* (pp. 260-61, 265-79), Shaaber is far more informed and clear-sighted than most who have touched the subject, but even he can not altogether restrain his modern moral repugnance.

<sup>157</sup> "Blount: I purpose to be blunt with you, and, out of my dulness, to encounter you with a Dedication in the memory of that pure elemental wit Chr. Marlowe, whose ghost or genius is to be seen walk the Church-yard in, at the least, three or four sheets. Methinks you should presently look wild now, and grow humorously frantic upon the taste of it. Well, lest you should, let me tell you, this spirit was sometime a familiar of your own, *Lucan's First Book translated*; which, in regard of your old right in it, I have raised in the circle of your patronage."—L. C. Martin (ed.), *Marlowe's Poems*, London, 1931, p. 261.

<sup>158</sup> *Ibid.*, p. 24. In Kyd's letter to Sir John Puckering, Marlowe is said to have numbered among his friends "Harriot, Warner, Royden, and some stationers in Paules churchyard"; C. F. Tucker Brooke, *The Life of Marlowe and The Tragedy of Dido*, New York, 1930, p. 105.

<sup>159</sup> He satirizes the airs of the usual dedicatee or patron.

<sup>160</sup> See *DNB*, XXV, p. 331, under Healey.

<sup>161</sup> Shaaber gives a list of them in *Some Forerunners*, pp. 270-71.

<sup>162</sup> See above, p. 174.

<sup>163</sup> A. W. Pollard, *Shakespeare's Fight with the Pirates*, p. 40; see p. 48 also.

<sup>164</sup> Consider this: "That Danter should be the first of the Shakespeare pirates was only in accordance with the beginning and end of his career. Before he was out of his apprenticeship he was in most serious trouble with the Company for helping to print at a secret press two school-books, a Grammar and Accidence, which formed one of its most profitable monopolies. After printing *Romeo and Juliet* he had the hardihood to meddle again with the same sacred volumes . . ."—A. W. Pollard, *Shakespeare Folios and Quartos*, p. 69. A further example is: "We have seen that owing to the lack of work and the uneven distribution of such work as there was, some minor printer was always likely to be in difficulties, and as we know that these men were ready at such times to set the Stationers' Company at defiance by pirating the *Grammar and Accidence* or the *Catechism*, it is not likely that they would be squeamish about pirating a play."—A. W. Pollard, *Shakespeare's Fight with the Pirates*, p. 38.

<sup>165</sup> "When . . . we approach the end of the century we find a certain number of prices which seem to indicate that in the case of ordinary small books, pamphlets, and the like, a book of 10 or 12 sheets (80-96 pages in

quarto [40-48 leaves], or 160 to 192 in octavo [80-96 leaves]) would normally be priced at a shilling; one of 20 to 24 sheets at 2s. Quartos of plays, however, though they often ran to 10 or 12 sheets, seem to have generally cost only 6d. We may suppose that, then as now, popular books of which a ready sale was expected would be cheaper than those of more restricted appeal."—McKerrow, *An Introduction to Bibliography*, p. 134.

<sup>166</sup> Plomer writes concerning Thomas Creede who printed many play texts: "His office was stocked with a varied assortment of letter, most of it in good condition, and his workmanship was superior to that of many of his contemporaries . . . Good workman as he could be when he liked, most of these [Shakespeare] quartos of Creed's are very little better than those issued by his brother printers."—H. R. Plomer, "The Printers of Shakespeare's Plays and Poems," *Library*, 2nd Series, VII (1906), pp. 155-57.

<sup>167</sup> *Ibid.*, p. 166.

<sup>168</sup> Shaaber, *op. cit.*, "News-Publishers," Chapter XI, pp. 257-300.

## NOTES FOR CHAPTER FOUR

<sup>1</sup> On "foul papers," see W. W. Greg, *The Editorial Problem in Shakespeare*, Oxford, 1942, pp. 27-34, *passim*. McKerrow suggested that the slovenliness of Elizabethan play prints was due to their usually being printed from the author's rough draft: "The Elizabethan Printer and Dramatic Manuscripts," *Library*, 4th series, XII (1931-32), pp. 253-75. McKerrow was a very great and very careful scholar, yet I think that he here violated a major canon of textual criticism: Consider each case particularly and inductively; avoid large generalizations until you have good grounds for placing each item in the special category which your generalization covers. This very article by McKerrow, for example, contains the best discussion extant on what should be in a printed play which is said to derive from a promptbook.

<sup>2</sup> See J. Dover Wilson, *The Manuscript of Shakespeare's "Hamlet" and the Problems of its Transmission, Shakespeare Problems IV*, Cambridge University Press, 1934, I, pp. 102-17, *passim*.

<sup>3</sup> See the introduction to A. W. Pollard's facsimile of Q 3 of *Richard II*, London, 1916. The conclusions in this earlier work are restated in his *Shakespeare's Fight with the Pirates*, pp. xv-xxi. See also Wilson, *op. cit.*, II, pp. 196-215.

<sup>4</sup> "*Troilus and Cressida*, 1609," *Library*, 4th Series, IX (1928-29), pp. 267-86.

<sup>5</sup> The subject has aroused much controversy. I think the judgment expressed above is an impartial one. See Chambers, *Wm. Sh.*, I, pp. 186-98.

<sup>6</sup> *Ibid.*, I, p. 441.

<sup>7</sup> R. B. McKerrow, "A Suggestion Regarding Shakespeare's Manuscripts," *RES*, XI (1935), pp. 459-65.

<sup>8</sup> *Ibid.*, p. 464.

<sup>9</sup> Textual critics of Elizabethan drama are greatly in debt to R. C. Bald for indicating that a private transcript could reproduce the features of a promptbook. However, I do not want to make Professor Bald responsible for a conclusion that seems inevitably to follow—namely, that one can no longer easily assume that a printed text which contains promptbook characteristics was actually printed from a promptbook. Professor Bald's analyses allow us to postulate that such a printed text could have been based on a private transcript. His discussions are printed in "Sir William Berkeley's *The Lost Lady*," *Library*, 4th Series, XVII (1936-37), pp. 395-426, and in his introduction to *Hengist, King of Kent; Or the Mayor of Queenborough*, Folger Shakespeare Library Publications, New York and London, 1938. *The Lost Lady* and *Hengist* were King's men's plays.

The Lambard Collection of the Folger Shakespeare Library contains a MS of *The Lost Lady* which was transcribed under Berkeley's supervision for Queen Henrietta Maria in 1638. Berkeley himself corrected this MS. Also in the Folger is the first edition of the play (F 1) which contains corrections by the scribe who wrote the above MS. Bald writes:

One interesting feature of both the manuscript and F1 is the fact that they contain a number of directions which must have originated with a prompter or stage-manager. Most of these have been deleted in both texts in the process of correction. In the manuscript it is impossible to say whether Berkeley or the scribe was responsible for the deletions; in the folio one can presume with a fair amount of certainty that it was the scribe. The inference, therefore, is that both texts were derived from the theatrical prompt-copy, and that originally the scribe of the manuscript for presentation to the Queen, like the compositor of the folio, incorporated into his version the prompter's directions he found in his copy. For a compositor to reproduce the prompter's directions in a printed text is no new thing, but that a scribe might be just as liable to do it has not been sufficiently realized, since the scribes of dramatic texts seem previously to have been tacitly credited with intelligence or experience superior to that of the compositors. But, while one may reasonably suppose that the surviving manuscript was a transcript made from the prompt book, it is not so easy to believe that F1 was set up directly from the prompt book, in spite of the prompter's directions it reproduces. In the first place, *The Lost Lady* was still a new play, and it is difficult to imagine the King's Men parting with the prompt-copy while the play was still in their regular repertoire. Secondly, the play was licensed for printing on 2 March, entered in the Stationers' Register on 5 March 1637/8, and was played before the King and Queen on the 26th of the same month. It is even less likely that the actors would have parted with the prompt-copy of the play with a command performance impending. It is safer to assume that when the surviving manuscript was transcribed another copy was also made, and that it was this one which passed into the hands of the printer.—Bald, "Sir William Berkeley's *The Lost Lady*," pp. 407-8.

Here is a partial list of the corrections in MS and F1—MS: "The Tombe discovered," marked for deletion; "Milesia ready in the Tombe," deleted; "A Torch ready," deleted; "Bed ready water & Towell," deleted. F1: "Milesia ready in the tombe," deleted; "Torch ready," deleted; "Enter Hermione, and Phillida with a paper written," last four words deleted; "Bed ready," deleted.—Bald, "Sir William Berkeley's *The Lost Lady*," pp. 408-9.

There are three extant texts of *Hengist*: (a) MS in the Lambard Collection in the Folger Shakespeare Library = L; (b) MS in the library of the Duke of Portland = P; and (c) a printed text of 1661 = Q. Both MSS are by the same scribe. P is later than L and was not transcribed from L. Bald writes:

Both manuscripts preserve a number of features specially characteristic of theatrical prompt-copies. At II, i, 40-41, on the right side of the page, P has, enclosed by a line, "Brigs / Robrt str / Blackson" (see plate v); these are presumably the names of minor actors who had parts in the dumb-show which followed soon afterwards. A similar direction probably occurred in L, but it has been trimmed by the binder, and only a portion of the line surrounding it has survived. At the beginning of II, iii (at l. 2) L adds the name "Rob: Briggs" and P "Robb Briggs" (cf. plate i); he apparently acted the part of the Gentleman in this scene. Finally, at IV, ii, 280-282 L alone has, within the usual surrounding line, "Lord <des> / Black <son> / Bri <ggs>"; again the reference seems to be to actors who took part in the succeeding dumb-show . . .

In both manuscripts also the same two passages are marked for omission in the manner commonly used in prompt-books to indicate theatrical cuts. Beside III, i, 56-63 (see plate ii) and V, ii, 162-176 there is a vertical line in the left margin, and a horizontal line at the end to indicate the exact extent of the cut. In addition there are in L alone certain symbols which may possibly have some stage significance (cf. plate i); they resemble an O with a cross on top of it, and they occur at the beginnings of II, iii (where there are two of them), III, iii, IV, i, and V, i. What meaning, if any, was attached to these signs is not easy to decide, and, in any case, it is possible that they were added later by another hand.

A dramatic manuscript containing such clearly marked theatrical cuts and various

actors' names in stage-directions would, under normal circumstances, be unhesitatingly pronounced a prompt-book, but here, where the same features appear in the two manuscripts of the play, and where the manuscripts are in the hand of the same scribe, both can scarcely be prompt-copies, and it is probable that neither is. It seems to be more reasonable to assume that if the scribe was capable of mechanically transcribing theatrical notes when he made one copy of the play, he was capable of doing it when he made a second one later. That a prompter's notes might find their way into a private transcript is proved by another play in the Lambard volume. The manuscript of Berkeley's *Lost Lady* there was apparently made for presentation to Queen Henrietta Maria, but it contains a number of obvious prompter's notes which have been included by the scribe, but which were deleted by the author when he corrected the manuscript. The two manuscripts of *Hengist*, therefore, are probably private transcripts; but there is little doubt that the scribe's "copy" was an annotated prompt-book. One may perhaps express, too, a general impression that the text given by L and P is not quite accurate enough for a prompt-book; both manuscripts contain too many mistakes (many of them common mistakes) which are often of such a nature that they would almost inevitably have been corrected had either of the manuscripts been used in the theatre.

Comparison with Q reveals even more clearly the theatrical origin of a number of other features in L and P. The latter contain in all twenty-four directions for music and noises off stage; Q has only four such directions, viz., two for shouts (at I, i, 1 and V, i, 155), one for "Alarms and excursions" (at the beginning of II, iii), and one for a flourish (II, iii, 218). The musical directions in the manuscripts are unusually full and systematic. They provide for music at each act interval, at the conclusion of the epilogue, and before each dumb-show ("Musique" for the first, and "Hoboyes" for the other two). Directions for music also introduce the two songs (I, i, 28 and IV, ii, 39), and "hoboyes" accompanied the processional entry to the banquet at the beginning of IV, ii. Flourishes generally mark solemn royal entrances and exits (I, i, 175; II, iii, 218; II, iii, 299), though "musique" is used for Vortiger's exits at IV, i, 19 and IV, ii, 269. Flourishes also occur at the coronation of Constantius (I, i, 117), and as the characters march off at the end of the play. It is significant, too, that the manuscripts have two directions for drums in the military scenes (at II, ii, 24-26 and II, iii, 8) which are lacking in Q. One can hardly doubt that these directions are due to theatrical annotation.

There are two other directions in the manuscripts which suggest the influence of a prompter. At the beginning of III, ii one finds *Enter Castiza A Booke: two Ladyes*; and here the words *A Booke* seem to be the prompter's curt insertion to make provision for a property that was to be brought on to the stage. At I, i, 28, in *Enter Certaine Muncks, Germanicus; Constantius being one . . .* the name "Germanicus" looks like another insertion. It not only interrupts the syntax of the sentence, but, being a mistake for "Germanus," was obviously written by someone not as familiar with the play as the author would have been. Apparently Germanus was felt to be a sufficiently important character to be named specifically, and his name was added to the stage-direction for the sake of clarity. There is no mention, it may be noted, of Germanus in the corresponding direction in Q.

The stage-directions of Q, on the other hand, have in the main been purged of references to the actual details of stage production . . .

From the foregoing discussion it will be seen that Q is most likely to have been set up from a private transcript which lacked such directions as a prompter would add, but which contained a number of others describing the action, for which the scribe of the private transcript was probably responsible, although it is possible that some of them may go back to the author's original directions. However, there is no doubt that this private transcript was based on a text used in the theatre, since it observes all the cuts made in performance, and shows traces of censorship, made possibly as late as the middle of Charles I's reign. It therefore represents a private transcript of a more normal type than the surviving manuscripts, such a one, in fact, as Moseley refers to in his foreword to the Beaumont and Fletcher folio of 1647: "When these *Comedies* and *Tragedies* were presented on the stage, the *Actours* omitted some *Scenes* and *Passages* (with the *Authour's* consent) as occasion led them; and when private friends desired a *Copy*, they then (and justly too) transcribed what they *Acted*."—Bald, *Hengist*, pp. xxviii-xxxiv.

Bald also points out not only that the MS of *The Beggar's Bush* in the

Lambarde Collection of the Folger Shakespeare Library is a private transcript but also that it "was clearly transcribed from the theatrical prompt-copy of the play, since it incorporates a number of obvious prompter's directions not to be found in the printed text."—Bald, *Bibliographical Studies in the Beaumont and Fletcher Folio of 1647*, Supplement to the Bibliographical Society's Transactions, No. 13 (1938), pp. 51, 62. The play was printed in the 1647 folio.

<sup>10</sup> L. Kirschbaum, "Shakespeare's Hypothetical Marginal Additions," *MLN*, LXI (1946), pp. 44-49.

<sup>11</sup> The *Hengist* scribe, in both P and L, copied from the promptbook the vertical and horizontal lines indicating omission.

<sup>12</sup> On their general characteristics, see W. W. Greg, *Dramatic Documents from the Elizabethan Playhouses*, Oxford, 1931, pp. 192-221. Analyses of the particular MSS are on pp. 239-308. See also *EPS*, pp. 22-45.

<sup>13</sup> "It was perhaps more usual for the prompt-book to be prepared by a professional scribe in the playhouse than by the author (or one of the authors) personally, but either procedure was recognized."—*EPS*, p. 33.

<sup>14</sup> In *Sir Thomas More*, one finds, "Enter <t>hree or foure Prentises of trades, with a paire of Cudgelles" (p. 248), and "Enters Lord Maior, so many Aldermen as may . . ." (p. 249); in Heywood's autograph *The Captives*, "Eather strykes him with a staffe or Casts a stone" (p. 287); in Heywood's autograph *The Escapes of Jupiter*, "A songe Iff you will" (p. 319). The page references are to Greg's *EDD*.

<sup>15</sup> McKerrow, "The Elizabethan Printer and Dramatic Manuscripts," pp. 273-74: "What could be more natural than that a skilled dramatist closely connected with the theatre and writing, not with any thought of print, but with his eye solely on a stage production, should give stage directions in the form of directions to the actors (as they might appear in a prompt-book), rather than as descriptions of action viewed from the front of the theatre? Probably he would use either type of direction as it happened to occur to him, just as we find them mixed in the manuscript of *The Two Noble Ladies*, which is held to be in the hand of its author. There we find, on the one hand, descriptive directions such as 'Cantharides bites him'. 'The fiends roare and fly back', and on the other, directions of the prompt-book type, such as 'Drag her in', 'Kisse', 'Crye within, help help', all in the hand of the author."

<sup>16</sup> *Ibid.*, pp. 270-72.

<sup>17</sup> *Ibid.*, p. 270.

<sup>18</sup> *EDD*, p. 286. The numbering is that of A. C. Judson's edition, Yale University Press, 1921. A similar example occurs in Heywood's *The Rape of Lucrece*. "A Table and Lights in the tent" is a centered direction five lines before

For. Command lights and torches in our tents

Enter souldiers with Torches.

And let a guard ingirt our safety round,

Whilst we debate of military businesse:

Come, sit and let's consult.

—*The Dramatic Works of Thomas Heywood*, London, 1874, V, p. 245.

That the warning for properties came not from the prompter but the author is indicated by the poetic use of "tent" for the inner stage. Similarly, in Chapman's *May Day*, is a marginal warning, "A purse of twenty pound in gold." about two hundred lines before the actor pulls it out, *The Comedies and Tragedies of George Chapman*, London, 1873, II, p. 331. This literary warning was surely put there by the dramatist.

<sup>19</sup> McKerrow, "The Elizabethan Printer and Dramatic Manuscripts," pp. 274-75; Allison Gaw, "John Sincklo as One of Shakespeare's Actors," *Anglia*, XLIX (1925-26), pp. 289-303; and Allison Gaw, "Actors' Names in Basic Shakespearean Texts, with Special Reference to *Romeo and Juliet* and *Much Ado*," *PMLA*, XL (1925), pp. 530-50.

<sup>20</sup> Some confirmation of McKerrow's guess about an author's carelessness in speech prefixes in foul papers is to be found in Hand D's addition in *Sir Thomas More*.

<sup>21</sup> *EPS*, p. 127.

<sup>22</sup> *Wm. Sh.*, I, pp. 333-34.

<sup>23</sup> *EPS*, pp. 61-62. The second paragraph is from a footnote.

<sup>24</sup> McKerrow, "A Suggestion Regarding Shakespeare's Manuscripts," p. 459.

<sup>25</sup> *EPS*, pp. 123-24.

<sup>26</sup> Chambers, *Wm. Sh.*, I, p. 370; and McKerrow, "A Suggestion Regarding Shakespeare's Manuscripts," p. 463.

<sup>27</sup> *Wm. Sh.*, I, pp. 385-86.

<sup>28</sup> *EPS*, pp. 121-22.

<sup>29</sup> *Ibid.*, pp. 64-65.

<sup>30</sup> *Wm. Sh.*, I, p. 412.

<sup>31</sup> M. A. Shaaber (ed.), *The Second Part of Henry the Fourth*, A New Variorum Edition, Philadelphia and London, 1940, pp. 489-92. Parts brought up from footnotes are indicated by dashes before and after.

<sup>32</sup> *EPS*, pp. 117-18.

<sup>33</sup> McKerrow, "A Suggestion Regarding Shakespeare's Manuscripts," p. 463.

<sup>34</sup> *Wm. Sh.*, I, p. 315.

<sup>35</sup> J. Q. Adams (ed.), *Shakespeare's Titus Andronicus*, *The First Quarto*, 1594, New York and London, 1936, p. 10.

<sup>36</sup> Folios 8v-9.

<sup>37</sup> See above, note 3.

<sup>38</sup> *Wm. Sh.*, I, p. 350.

<sup>39</sup> *EPS*, p. 120.

<sup>40</sup> *Ibid.*, p. 177.

<sup>41</sup> *Wm. Sh.*, I, p. 379.

<sup>42</sup> *EPS*, pp. 128-29.

<sup>43</sup> *Wm. Sh.*, I, p. 358.

<sup>44</sup> *EPS*, p. 125.

<sup>45</sup> Kirschbaum, *op. cit.*, pp. 44-49.

<sup>46</sup> McKerrow, "A Suggestion Regarding Shakespeare's Manuscripts," p. 462.

<sup>47</sup> *Wm. Sh.*, I, pp. 358-59.

<sup>48</sup> *The Case Is Altered* does not appear in the 1616 folio—and hence Jonson did not acknowledge his authorship. On January 26, 1609, it was entered to Henry Walley and Richard Bonian (Arber, III, p. 400). On July 20, 1609, it was re-entered to them and Bartholomew Sutton (Arber, III, p. 416). Q was published, with Jonson's name on the title page, as acted by the Children of Blackfriars, in 1609 (a) for Sutton and (b) for Sutton and Barrenger. Herford and Simpson write: "Early in 1609 Jonson had published with Bonian and Walley *The Masque of Queens*; the text of this masque, encumbered with a series of scholarly notes, shows an accuracy which could have been ensured only by Jonson's presence at the printing-house when the work was being set up in type. Bonian and Walley no doubt hoped to publish something more of Jonson's, but *The Case Is Altered* is the only work which they managed to secure, and even this Sutton took over from them. The printing is so vile that it is certain that Jonson did not see it through the press."—C. H. Herford and Percy Simpson (eds.), *Ben Jonson, The Man and His Work*, Oxford, 1925 ff., III, p. 95.

An earlier opinion concurs: "Whoever it was that took the initiative in having the play published, whether it was the theatrical management of the Blackfriars, . . . or whether it was the printers themselves, it is reasonably certain that Jonson had no hand in the printing. The correction [of the sheets] was never finished, and such as there is does not give evidence of Jonson's painstaking hand. The play seems to have been hurriedly issued. Aside from errors in spelling and punctuation which still remain, the abrupt ending to the division of acts and scenes, and the large portions of Act 5 which are clearly intended to be read as verse, and are not thus arranged, tend to confirm this view."—W. E. Selin (ed.), *The Case Is Altered*, Yale Studies in English LVI, Yale University Press, 1917, p. ix.

<sup>49</sup> Herford and Simpson, *op. cit.*, IV, p. xiv.

<sup>50</sup> "The comedy of *Volpone*, or *The Fox*, stated on the Folio title-page to have been 'Acted in the yeere 1605', was published by Thomas Thorpe in 1607 . . . Thorpe had published *Sejanus* in 1605 . . . On 4 September he had entered *Eastward Hoe* along with William Aspley, though only Aspley's name appeared on the title-page. On 21 April 1608 he entered *The Masques of Blackness and of Beauty*, which he published in that year, and followed these with *Hymenaei* . . . From 1605 to 1608, therefore, he was Jonson's publisher."—*Ibid.*, V, p. 3.

<sup>51</sup> *Every Man In*, *Cynthia's Revels*, *The Alchemist*, and *Catiline*. In 1610 Thorpe assigned *Sejanus* and *Volpone* to Burre (Arber, III, p. 445), and in 1612, John Browne assigned *Epicene* to Burre (Arber, III, p. 498).

<sup>52</sup> Herford and Simpson, *op. cit.*, III, pp. 412, 411.

<sup>53</sup> *Ibid.*, III, p. 193.

<sup>54</sup> *Ibid.*, IV, p. 5.

<sup>55</sup> *Ibid.*, IV, pp. 187, 317.

<sup>56</sup> *Ibid.*, IV, p. 330.

<sup>57</sup> *Ibid.*, V, p. 7.

<sup>58</sup> *Ibid.*, V, pp. 277-78.

<sup>59</sup> *Ibid.*, V, p. 413.

<sup>60</sup> Light is shed upon Jonson's practice in the printing of his plays by



his appointment of Sir Kenelm Digby as his literary executor. A Chancery Bill dated January, 1640, the complainant being Thomas Walkley, reads: "That whereas seuerall of the writings and workes of Beniamin Johnson late deceased and not before printed were some shorte tyme before his decease presented vnto & given by the said Beniamin to Sr Kenelme Digby to dispose thereof at his will and pleasure. To whose care & trust the said Beniamin left the publishing and printing of them and delivered him true & perfect copies for his better and more effectual doeing thereof, And the said Beniamin shortly after dyeing, the said Sr Kenelme Digbye in pursuance of the said truste reposed in him deliuered the same Copies to yor Orator to haue them published and printed according to the intencon. of the said Beniamin Johnson freely bestowing the benefitt of the printing thereof on yor Orator . . ."—Frank Marcham, "Thomas Walkley and the Ben Jonson 'Works' of 1640," *Library*, 4th Series, XI (1930-31), pp. 226-27. The various items that Sir Kenelm gave Walkley were listed in a belated entry in the Stationers' Register of September 17, 1658: W. W. Greg, "Thomas Walkley and the Ben Jonson 'Works' of 1640," *Library*, 4th Series, XI (1930-31), p. 464. Among these were *The Magnetic Lady* and *A Tale of a Tub*. Both these are in the so-called third volume of the 1640 folio, subsequently added to the remaining stock of the second volume. *The Magnetic Lady* was a King's company play and *A Tale of a Tub* was a Queen Henrietta's company play: G. E. Bentley, *The Jacobean and Caroline Stage*, Oxford, 1941, I, pp. 121-22, 229-30. It should be added that the first got the players into trouble with the ecclesiastical authorities and that the second was a bad failure. Perhaps Jonson's independence in the printing of his plays is most clearly (and amusingly) indicated in the following title page: "The New Inne, Or, The light Heart. A Comoe dy. As it was neuer acted, but most negligently play'd, by some, the Kings Seruants. And more squeamishly beheld, and censured by others, the Kings Subiects. 1629. Now, at last, set at liberty to the Readers, his Maties Seruants, and Subiects, to be iudg'd. 1631. By the Author, B. Ionson . . . London, Printed by Thomas Harper, for Thomas Alchorne . . . MDCXXXI."

<sup>61</sup> My occasional doubts concerning ascription to author or acting company are, I believe, legitimate. *Sir John Oldcastle*, an Admiral's play by Drayton and others, was published by Thomas Pavier in 1600, "As it hath been lately acted by the right honorable the Earle of Nottingham Lord high Admirall of England his seruants." The play was reprinted in 1619 with the false date 1600 in its imprint "for T.P."; the same company is retained but "Written by William Shakespeare." is added. *The Puritan* was published by G. Eld in 1607, "Acted by the Children of Paules. Written by W.S." I, II *The Troublesome Raigne of Iohn King of England* were first published separately in 1591, "As it was (sundry times) publikely acted by the Queenes Maiesties Players." John Helme's 1611 title page adds, "Written by W. Sh." Thomas Dewe's 1622 title page changes to "As they were (sundry times) lately acted. Written by W. Shakespeare." Without some corroboration, I do not think the title page of an Elizabethan-Jacobean play quarto should be completely trusted for either authorship or acting company. For the W.S. on the title page of *Lochrine* (1595) see Chambers,

*Wm. Sh.*, I, pp. 533-36. Creede printed on his title page, "Newly set forth, ouerseene and corrected, By W. S." Chambers writes, "Here the only claim is that the play was 'newly set forth, ouerseene and corrected' by him." I wonder whether Creede's comma claims that or authorship.

<sup>62</sup> J. S. Farmer (ed.), *Tudor Facsimile Text* (1912).

<sup>63</sup> Hans Scherer (ed.), *Satiromastix, or The Vntrussing of the Humorous Poet. By Thomas Dekker. Herausgegeben Nach Den Drucken Von 1602, Materialien zur Kunde des älteren Englischen Dramas*, Louvain, 1907.

<sup>64</sup> W. W. Greg (ed.), *Malone Society Reprint* (1913). The scene numbers I employ are Greg's.

<sup>65</sup> C. F. Tucker Brooke (ed.), *The Shakespeare Apocrypha*, Oxford, 1908, pp. 165-90.

<sup>66</sup> *Eliz. Stage*, II, p. 50; and III, p. 428.

<sup>67</sup> H. Harvey Wood (ed.), *The Plays of John Marston*, Edinburgh and London, 1934, I, p. 143.

<sup>68</sup> There are some grounds for believing that though Marston cooperated in Aspley's publication of *Q 1*, he had feared surreptitious publication either by Aspley or by another. In "To the Reader," signed, "I.M.," the author wrote: "I would faine leave the paper; onely one thing afflicts me, to thinke that Sceanes invented, meerely to be spoken, should be inforcively published to be read, and that the least hurt I can receive is, to do my selfe the wrong. But since others otherwise would doe me more, the least inconvenience is to be accepted. I have my selfe therefore set forth this Comedie; but so, that my inforced absence must much relye upon the Printers discretion:" Light is shed on the kind of MS Aspley first had by Greg's analysis of the three editions (A,B,C) in "Notes on Old Books," *Library*, 4th Series, II (1921-22), pp. 49-57. After setting forth some of the differences between A and B and stating "that there are throughout considerable alterations and additions to the stage directions, and that in at least one place a marginal note of some length appears in B which is absent from A," Greg concludes: "It seems evident that A was very carelessly printed from a rather confused manuscript. While the type was still at least partly standing a copy came to the printer's hands which had been extensively but very roughly corrected, most likely by the author, possibly only by reference to the manuscript. This was used to produce the emended impression B. It is possible that the apparent rarity of B may be due to further extensive corrections and additions being received, which suggested the printing of only a limited number of corrected copies to satisfy the immediate demand while an entirely new edition was being prepared. This new edition, C, was not, however, printed with any greater care than its predecessors, and it is clear that, while corrections were incorporated in successive impressions, in no case were the proofs read by any person of authority." I do not think Aspley's copy for *Q 1* was the lost "booke" spoken of in the Induction. I tend to agree with Chambers that there was a friendly agreement between the King's men and Queen's Revels concerning the play (*Wm. Sh.*, I, p. 149).

<sup>69</sup> Frank Marcham, *The King's Office of the Revels 1610-1622*, London, 1925, p. 11.

<sup>70</sup> Mark Eccles, "Sir George Buc, Master of the Revels," in C. J. Sisson (ed.), *Thomas Lodge and Other Elizabethans*, Harvard University Press, 1933, p. 479.

<sup>71</sup> RES, I (1925), p. 481. See also *Wm. Sh.*, I, p. 148.

<sup>72</sup> F. S. Boas (ed.), *The Works of Thomas Kyd*, Oxford, 1901, p. 337.

<sup>73</sup> Farmer (ed.), *Tudor Facsimile Text* (1912).

<sup>74</sup> *Wm. Sh.*, II, p. 329.

<sup>75</sup> *Eliz. Stage*, IV, p. 12.

<sup>76</sup> Tucker Brooke, *op. cit.*, p. xxx.

<sup>77</sup> Farmer (ed.), *Tudor Facsimile Text* (1913).

<sup>78</sup> Allardyce Nicoll (ed.), *The Works of Cyril Tourneur*, London [n.d.].

<sup>79</sup> Farmer (ed.), *Tudor Facsimile Text* (1913).

<sup>80</sup> Mark Eccles, "Barnabe Barnes," in C. J. Sisson (ed.), *Thomas Lodge and Other Elizabethans*, 1933, p. 233.

<sup>81</sup> *Wm. Sh.*, II, p. 343.

<sup>82</sup> W. A. Abrams (ed.), *The Merry Devil of Edmonton 1608*, Duke University Press, 1942, p. 40. In a review, although he differed with Abrams about the exact nature of the printer's copy, Greg agreed that the play was published surreptitiously (i.e., without the actors' permission): *Library*, 4th Series, XXV (1944-45), p. 130.

<sup>83</sup> Tucker Brooke, *Shakespeare Apocrypha*, pp. 249-61.

<sup>84</sup> In an unpublished doctoral dissertation at the University of Michigan, "A Critical Textual Study of Beaumont and Fletcher's 'The Maid's Tragedy,'" 1942, D. G. Stillman, after analyzing the texts carefully, concludes: Q 1 was "set up from a copy made by an unskilled amateur copyist" (p. 239); Q 2 was set up from "a fair copy made early in the career of the play, but there is not sufficient evidence to enable us to conclude that it was prompt copy" (p. 249). A photostat of the Bodleian Q 2 is at the end of the dissertation. Particularly valuable is Doctor Stillman's comparison of the authorized and unauthorized *Religio Medici* to show what kinds of corruption careless and repeated copying of an MS work could produce. Before reading the Stillman study, I examined photostats of Q 1 and Q 3 from the Henry E. Huntington Library and decided that the copy for the former must have been a private transcript. It is to be hoped that Doctor Stillman will publish his valuable monograph.

<sup>85</sup> The page references are to the text in Arnold Glover and A. R. Waller (eds.), *The Works of Francis Beaumont and John Fletcher*, Cambridge English Classics, Cambridge University Press, 1912, X. I have used Waller's collation (pp. 365-69) to be sure I was reproducing what Q 1 had.

<sup>86</sup> E.H.C. Oliphant, *The Plays of Beaumont and Fletcher*, Yale University Press, 1927, pp. 274-75.

<sup>87</sup> Reprinted in C. M. Ingleby (ed.), *Shakspeare Allusion-Books*, New Shakspeare Society Publications, Series 4, No. 1, pp. 77-116.

<sup>88</sup> On June 7, 1603 (II, p. 836), Matthew Law was ordered to pay twenty shillings "for printinge contrary to order A booke called Englandes mowrning garment beinge Thomas millingtons copie. And that he shall bring into the hall as forfayted by thordonnance" the remaining unsold copies of the book. He brought seventy-five, and five shillings of his fine

were returned. This fine is interesting in that it reveals graphically that Millington who in April 25 had made an entry requesting him to obtain authorization, was able a month later to restrain another stationer from infringing on his (Millington's) copyright. This is further evidence that conditional entrances established copyright. "The book which Law was . . . fined for printing is evidently Henry Petowe's 'Elizabetha quasi viuens, Eliza's Funerall . . . London Printed by E. Alde for M. Lawe . . . 1603.' It contains [among other matter] . . . six pages of 'The order and formall proceeding at the Funerall' which is substantially the text of that part of Chettle [*i.e.*, *England's Mourning Garment*], except that it has interpolated verse passages printed in italic. The order of the procession appears in the Petowe to be an eclectic text compiled from both the Chettle editions with some independent readings unrelated to either of them. However Law's misdemeanor in the eyes of the Stationers' Company was not the sin of plagiarism but the printing of an 'entered' copy."—W. A. Jackson, "The Funeral Procession of Queen Elizabeth," *Library*, 4th Series, XXVI (1946), p. 267.

<sup>29</sup> The most peculiar thing, however, about Snodham's entry is that the book had been entered in 1593 "under thandes of Master Doctour Bancroft and Master Warden Stirrop" to John Norton (II, p. 633), and published by Norton in the same year (*STC* 14938). Norton was still flourishing in 1603, becoming Master in 1607, 1611, and 1612. Nevertheless, Snodham published an edition, "T. Snodham, sold by T. Este, 1603" (*STC* 14939). It is probable that Norton's entrance and edition had been forgotten, for Snodham cites one of Waldegrave's 1593 (?) editions (*STC* 14936-37) in his entrance.

<sup>30</sup> Dugdale's *Monasticon Anglicanum*, 1830, VI, p. 1354.

<sup>31</sup> *Records of the Court B*, p. 77. The same sense of "stay" was employed by the Clerk of the Stationers' Company in the margin of a 1602 apprentice entrance (Arber, II, p. 268): "The sealing of these Indentures to be stayed for a tyme."

<sup>32</sup> According to *STC* 18249, the book was first printed in 1601, "J. Windet, imp. M. Law," but Hazlitt's *Handbook* records an edition of 1599 (p. 404). A 1599 date, however, would seem to be impossible in the face of the above Court order. Perhaps Hazlitt, looking at the preface dated November, 1599 (*DNB*, XXXIX, p. 275), guessed that an edition appeared in that year.

<sup>33</sup> See note 88 above.

<sup>34</sup> I know of no cases of "not to be entered" (meaning "never to be entered under any conditions") in the Registers.

<sup>35</sup> We might infer that Maxey, himself, was the cause of this note's being made. In other words, the "staying" order may have come from him.

<sup>36</sup> *Records of the Court B*, p. 45.

<sup>37</sup> Why do we find the friendly stationer sometimes making blocking entries which contain "provided he get better authority"? The answer may be simple. Since he did not expect to publish, he did not waste his money on an unnecessary official license. It is, of course, possible that the players made a notation on the copy they gave him that the play was not

to be published without their consent or the consent of their patron. They certainly made (or had someone make) such a notation on the copy of *The Merchant of Venice*, for in the blocking entry of that play, the Lord Chamberlain's name is given as the required authority. Later I deal with this entrance fully.

<sup>98</sup> Surely one would be right in assuming in the case of the blocking entries that the friendly stationer did not at the time of entrance expect to publish the play—if at all, not in the near future. This, I believe, sound conclusion is founded on the passage of a long period of time between some of the blocking entries and eventual publication either of a bad quarto or of a good quarto without the actors' permission. It is remarkable that there is not one instance of *any* of the blocking entries by Roberts or Blount leading to publication by Roberts or Blount after *whatever* passage of time. In one case, however, *The Merchant of Venice*, the play was assigned two years after the blocking entry to Thomas Heyes, the ensuing quarto being published in the year of assignment by Heyes but being printed by Roberts.

Since, when *The Merchant of Venice* was assigned, the entry reads, "Entred for his copie under the handes of the Wardens and by Consent of master Robertes A booke called the booke of the merchant of Venyce," this entry implying that the assigner gave Heyes the official promptbook of the play (see p. 204), it would seem to follow that Roberts came into possession of the copy just before the assigning entry, for it does not seem possible that the actors would have let Roberts have their official "booke" lying around his printing house for two years. It may be concluded, then, that the friendly stationer was initially merely given the MS of the play to make the blocking entry and that he returned the MS to the players after this entry. It will be seen that Blount, when he made the blocking entry for *Pericles*, also brought the official "booke" to Stationers' Hall for entrance. Again, unless one assumes that the actors were satisfied to be deprived of this most important MS for a year (the bad quarto came out a year after the blocking entry), one must conclude that the friendly stationer brought the "booke" to Stationers' Hall for the purpose of entrance and then returned it to the players. I do not think it would be far wrong to assume the same procedure in the case of all the blocking entries: the friendly stationer did not possess the MS of the play after the entrance. At this point it should again be remembered that neither Blount nor Roberts published a single play of the Chamberlain's-King's men.

G. B. Harrison is not convincing when he claims that the blocking entry was also employed for nondramatic publication. See "Books and Readers, 1591-94," *Library*, 4th Series, VIII (1927-28), pp. 279-80; and "Books and Readers, 1599-1603," *Library*, 4th Series, XIV (1933-34), p. 8.

<sup>99</sup> It is a safe assumption that the players in May and August, 1600, had the entries made on this leaf through the intervention of the Lord Chamberlain, but there is no proof.

<sup>100</sup> On the Lord Chamberlain's connection with the stage, see Albright, *Dramatic Publication in England, 1580-1640*, pp. 23-27. For the ineffectual petition in 1623 of the King's men to the Lord Chamberlain to receive a monopoly on plays dealing with the topical witch scare, see

Bentley, *op. cit.*, I, pp. 40-41. Bentley's points, that these players had no right to such monopoly and did not achieve it, are worth remembering in connection with their attempts to stop the publication of their plays.

<sup>101</sup> *Wm. Sh.*, I, p. 136.

<sup>102</sup> Quoted in Albright, *op. cit.*, pp. 240-41.

<sup>103</sup> Quoted *ibid.*, pp. 242-43.

<sup>104</sup> W. W. Greg (ed.), *Henslowe's Diary*, London, 1904-8, f. 9.

<sup>105</sup> Whether they had taken any steps concerning bad or stolen good quartos before the blocking entry of *The Merchant of Venice* in July, 1598, is not known.

<sup>106</sup> W. W. Greg, "Some Notes on the Stationers' Registers," *Library*, 4th Series, VII (1926-27), p. 384.

<sup>107</sup> A. W. Pollard, *Shakespeare Folios and Quartos*, p. 67.

<sup>108</sup> Leo Kirschbaum, "Is *The Spanish Tragedy* a Leading Case?," *JEGP*, XXXVII (1938), pp. 511-12.

<sup>109</sup> A. W. Pollard, *Shakespeare Folios and Quartos*, p. 69.

<sup>110</sup> The presence of the name of the acting company in the May 27 entry may possibly have some significance, for the same phenomenon occurs in Roberts' blocking entries of *Troilus and Cressida* and *Hamlet*. What the significance is, I cannot fathom; unless it be that the Clerk, recognizing the nature of the entry, used this means of indicating for whom the entry was really made. I think there is great significance in the fact that in these two 1600 entries by Roberts, the Lord Chamberlain was not specifically named as the one who was to issue the printing license, as he had been in Roberts' *The Merchant of Venice* entry in 1598. Never again did Roberts or Blount use this device in their blocking entries for Shakespeare's company.

<sup>111</sup> It is known that the Clerk must have added the marginal notations to the original notation because of his mistake of May 27 for May 29 in regard to *Allarum*. Greg says that "27" was altered to "29." *BEPD*, p. 15.

<sup>112</sup> If the players did ask and were refused, the Stationers' Company's not obeying an order in 1619 by the Lord Chamberlain that all the King's men's plays were to be stayed was not without some kind of precedent.

<sup>113</sup> Was the license by Pasfield on the copy Roberts brought an attempt to allay the suspicions of the Wardens?

<sup>114</sup> *Hamlet* and *Pericles* are bad quartos; *Troilus and Cressida* and *A King and No King* contain prefatory matter which shows they were published without the players' consent.

<sup>115</sup> If the reader believes it to be my imagination alone which makes the players appalled, let him remember that according to the 1637 decree the players in 1619 were not only angry because surreptitious publication meant loss of profit but because "the books [had] much corruption, to the injury and disgrace of the authors." Shakespeare, I ask my reader to remember, was one of the most important sharers in the group I conveniently call the "players." What he, as author, thought of the bad quartos of his plays one shudders to think.

<sup>116</sup> See my trade biography of Ling in Appendix B.

<sup>117</sup> I doubt very much that Greg would now defend an explanation he once made of how Ling came to publish and Roberts to print Q 2 of

*Hamlet*. It appeared in *TLS*, May 2, 1936: "Editors and critics have been inclined to overlook a rather remarkable bibliographical fact in the circumstances in which the genuine text [of *Hamlet*] first saw the light. There is no doubt either that the first quarto (1603) contained a pirated text and was surreptitiously issued, or that the second quarto (1604-5) was an authorized edition, put forth expressly to supersede the defective predecessor. But it is surprising that the publication of the authorized edition was entrusted, not to James Roberts, who had registered his right to the copy in 1602 (probably at the instance of the players), but to Nicholas Ling, the very man who had been at least partly responsible for the piracy of 1603. That the arrangement was an amicable one is shown by the fact that it was Roberts who printed the 1604-5 quarto for Ling. In explanation I suggest that Shakespeare was himself not wholly displeased at the appearance of the piracy, since it forced the hands of the company and induced them to release the genuine text of his play for the benefit of readers, and that he put in a good word for the pirate when his fellows were arranging for the publication."

<sup>118</sup> This does not mean, however, that Roberts' copyrights had become derelict. On October 29, 1615 (III, p. 575) Jaggard, his successor, entered nine copies "which were heretofore entred to James Robertes." Roberts lived until 1618. He must have been in more or less close relations with the Stationers' Company after his retirement, for he appears to have had a large amount of money invested with it, drawing a quarterly annuity of twelve pounds (see E. E. Willoughby, *A Printer of Shakespeare*, London, 1934, p. 75). For Blount, see Sidney Lee, "An Elizabethan Bookseller," *Bibliographica*, I (1895), pp. 474-98. It is interesting to note that Blount—like the typical Elizabethan stationer he was—had himself published books without the author's consent.

<sup>119</sup> Greg, "Some Notes on the Stationers' Register," pp. 384-85.

<sup>120</sup> Its title is among the sixteen hitherto unpublished plays entered by Blount and Isaac Jaggard on November 8, 1623 (IV, p. 107).

<sup>121</sup> Either Gosson sold Stafford the copyright, or he sold Stafford the right to print an edition.

<sup>122</sup> See note 118.

<sup>123</sup> See, for example, II, p. 295, and II, p. 613.

<sup>124</sup> *Eliz. Stage*, IV, pp. 126-27.

<sup>125</sup> *Ibid.*, IV, p. 125.

<sup>126</sup> *Malone Society Collections*, I, p. 369.

<sup>127</sup> J. Q. Adams (ed.), *The Dramatic Records of Sir Henry Herbert*, Yale University Press, 1917, p. 105. The item implies that the players were responsible for the printing license. Certainly they must have paid for the printing licenses recorded in the blocking entries. Why they wanted a printing license for *A King and No King* in 1611 is a mystery. Did they intend to have a blocking entry of the play in 1611, and did they then drop the project?

<sup>128</sup> Waller and Glover (eds.), *The Works of Francis Beaumont and John Fletcher*, I, p. 423.

<sup>129</sup> *The Works of Francis Beaumont and John Fletcher*, Variorum Edition, London, 1904, I, p. 248.

<sup>130</sup> A. W. Pollard, "Shakespeare in the Remainder Market," *Academy* (June 2, 1906). Pollard later ascertained that a similarly bound set had once been owned by the University of Virginia.

<sup>131</sup> W. W. Greg, "On Certain False Dates in Shakespearian Quartos," *Library*, 2nd Series, IX (1908), pp. 113-31; 381-409.

<sup>132</sup> Pollard's chapter, "The Quartos of 1619" (pp. 81-104), is an admirable summary of what had been done up to 1909.

<sup>133</sup> W. J. Neidig, "The Shakespeare Quartos of 1619," *Modern Philology*, VIII (1910), pp. 145-63. Neidig's determination of the sequence of the printing of the title pages has never been challenged, so far as I know; and Chambers (see p. 229) reports that Greg approves of it. It provides the groundwork for my interpretation of the 1619 quartos.

<sup>134</sup> *Wm. Sh.*, I, pp. 135-38.

<sup>135</sup> A. W. Pollard, *Shakespeare Folios and Quartos*, p. 85.

<sup>136</sup> H. C. Bartlett and A. W. Pollard, *A Census of Shakespeare's Plays in Quarto 1594-1709*, Yale University Press, 1939.

<sup>137</sup> Quoted in J. C. Reed, "Humphrey Moseley, Publisher," *Oxford Bibliographical Society Proceedings & Papers*, II (1927-30), p. 96.

<sup>138</sup> See J. Q. Adams (ed.), *The Ghost of Lucrece*, New York and London, 1937, pp. xi-xiv; J. Q. Adams (ed.), *Oenone and Paris*, the Folger Shakespeare Library, 1943, pp. xxiii-xxiv; and W. W. Greg, *Library*, 4th Series, XXIV (1943-44), p. 88.

<sup>139</sup> E. F. Bosanquet, *English Printed Almanacks and Prognostications: A Bibliographical History to the Year 1600*, London Bibliographical Society, Illustrated Monographs No. XVII (1917), p. 47. On the general subject of "collected" volumes, see O. M. Willard, "The Survival of English Books Printed before 1640: A Theory and Some Illustrations," *Library*, 4th Series, XXIII (1942-43), pp. 187-89.

<sup>140</sup> Copies of *Six Court Comedies* and Killigrew's *Comedies, and Tragedies* are in the Rare Book Room of the University of Michigan Library. The five individual title pages of the former have the imprint, "London, Printed by William Stansby, for Edward Blount. 1632." In all five imprints, the same flaws are observable: The second "n" in "London" is broken in the same place; the same smudge appears over the first comma; the first period is fractured in such a way that it appears an inverted comma; the same pressmarks appear beneath the date. The same setup was used for ten individual title pages in the Killigrew volume, for the "J" in the "J. M." of the imprints has the same imperfection, a broken face. Macock made the least number of changes possible when he printed a new title page.

<sup>141</sup> The easiest way to observe the continuance of the individual Jonson copyrights after 1616 is in BEPD: *Every Man Out* (163), *Every Man In* (176), *Cynthia's Revels* (181), *Poetaster* (186), *Sejanus* (216), *Volpone* (259), *Alchemist* (303), and *Epicene* (304).

<sup>142</sup> Greg, *Transactions of the Bibliographical Society*, VI (1900-2), p. 11.

<sup>143</sup> Robert Gathorne-Hardy, "Bibliography of the Works of Jeremy Taylor," in Logan Pearsall Smith (ed.), *The Golden Grove, Selected Pas-*



sages from the *Sermons and Writings of Jeremy Taylor*, Oxford, 1930, pp. 318-19.

<sup>144</sup> See also W. W. Greg, "The Printing of Mayne's Plays," *Oxford Bibliographical Society Proceedings & Papers*, I (1922-26), pp. 257-58.

<sup>145</sup> *Handbook*, p. 424.

<sup>146</sup> See facsimiles in Pollard's *Shakespeare Folios and Quartos*, pp. 39-40.

<sup>147</sup> Neidig, *op. cit.*, Pl. III and VI.

<sup>148</sup> But it has been seen that fake imprints were an old practice.

<sup>149</sup> It is sometimes assumed that Pavier was the instigator of the 1619 quartos. See W. W. Greg, "The First Folio and its Publishers," in *Studies in the First Folio*, London, 1924, pp. 140-44. I do not think there is much to recommend this view. The guiding spirit behind the 1619 quartos certainly seems to have been Jaggard.

<sup>150</sup> Since it was the custom in a collected volume to use the same title page setup for the individual title pages, doubt in regard to the title page of, for example, the third item, would delay the printing of the title pages for the first and second items.

<sup>151</sup> Probably the most famous example of this practice is the Second Folio of Shakespeare (1632): See *STC* 22274, 22274a, 22274b, 22274c, 22274d, and 22274e. Jaggard's using a device for the *MND* title page which was not the device he employed for the other eight title pages is not, I believe, significant. The printer used three different devices for the individual title pages of Marston's *Workes* (1633).

<sup>152</sup> There can be no doubt that Jaggard fraudulently tried to impose his 1619 edition of *The Merchant of Venice* as printed for James Roberts in 1600. It seems, too, as though he wanted his *Midsummer Night's Dream* to look like a different issue of the authentic Fisher edition or like an edition closely copying and closely succeeding the Fisher edition. But yet I doubt that even the second should be termed a counterfeit edition. One type of counterfeit edition may pretend to be the real edition, imprint and all; see W. A. Jackson, "Counterfeit Printing in Jacobean Times," *Library*, 4th Series, XV (1934-35), pp. 364-76; and F. M. Harrison, "Nathaniel Ponder: The Publisher of *The Pilgrim's Progress*," *Library*, 4th Series, XV (1934-35), pp. 257-94. Another type of counterfeit edition may pretend to be an edition put out at the same time as the real edition and by the same printer and publisher. The purpose of both types was to violate some stationers' copyright—to print and sell a certain work without paying the copyright owner for the privilege. One of the 1634 editions of *Albunazar* appears to have been printed years later than the authentic edition, although it purports to be a close following of the latter; see Greg, *BEPD*, p. 330. Two editions of *The Elder Brother* have exactly the same reading on the title pages and the same imprint, "London, Imprinted by F.K. for J.W. and J.B. 1637." Greg pointed out in *The Works of Francis Beaumont and John Fletcher*, Variorum Edition, London, 1905, II, p. 5, that one of these is a counterfeit: "It should be observed that Q 2, though dated 1637, was probably not printed till many years later. It contains the same ornaments etc. as Q 4 and may have appeared at any date previous to 1661. I rather suspect that it was issued surreptitiously to rival Moseley's edition, Q 3

[1651]"; see also Greg, *Library*, 4th Series, XIII (1932-33), p. 140. Another practice, confusing to bibliographers, but with no suggestion of piracy, was to put a new title page on the sheets of an old edition. *Selimus* was published in 1594, "Printed by Thomas Creede, dwelling in Thames streete at the signe of the Kathren wheele, neare the olde Swanne. 1594." The same sheets were reissued years later with a fresh title page, "Printed for Iohn Croke and Richard Serger and are to be sold at their shop in Pauls Church-yard at the signe of the Grey-Hound. 1638."

<sup>153</sup> Willoughby, *op. cit.*, pp. 143-44.

<sup>154</sup> *Ibid.*, p. 143.

<sup>155</sup> How Walkley came to apply to his bad quarto of *Philaster* the very adjectives which Heminge and Condell used to describe the "stolen and surreptitious texts" of Shakespeare, "maimed and deformed," is a minor mystery. Since Walkley must have had dealings with Jaggard in 1622 relative to the latter's purchase of the right to include *Othello* in the First Folio, he may have seen the epistle in which the words occur. However, Shakespeare's fellows may have been the borrowers. Or this may be a coincidence.

<sup>156</sup> Hawkins, the publisher, wrote in a prefatory note to Q 3 (1628): "albeit the first impression swarmed with errors." (*The Works of Francis Beaumont and John Fletcher*, Variorum Edition, I, p. 134).

<sup>157</sup> K. W. Cameron, "*Othello*, Quarto 1, Reconsidered," *PMLA*, XLVII (1932), pp. 671-83; and "The Text of *Othello*: An Analysis," *PMLA*, XLIX (1934), pp. 762-96.

<sup>158</sup> *Wm. Sh.*, I, p. 460.

<sup>159</sup> E. E. Willoughby, *The Printing of the First Folio of Shakespeare*, Supplement to the Bibliographical Society's Transactions, No. 8 (1932), pp. 1-52.

<sup>160</sup> Willoughby writes concerning the entrance and publication of *Othello*: "No new play of Shakespeare had been published since 1609, and we should hardly have expected the Lord Chamberlain to grant the right to print one so soon before the expected publication of the Folio. Was permission perhaps given (for a consideration) by the Players in a moment of irritation at Jaggard's decision to interrupt the printing of the Folio?"—*Ibid.*, p. 39. But the players must have already sold *Othello* to Jaggard, and another sale to Walkley would be duplicity. Furthermore *Othello* was entered on October 6, 1621, and there is no notice of an interruption in the printing of the First Folio before October 29, 1621 (IV, p. 60), when Vincent's *Discoverie* was entered. One can not make hypotheses based on presumptive "moments of irritation" on the part of the King's men. What reason had the players for wishing Jaggard to hurry?

<sup>161</sup> To me Walkley's words suggest surreptitious publication; cf. the preface to Q of *Troilus*.

<sup>162</sup> This entry appears on December 3, 1627 (IV, p. 190): "William Washington. Entred for his Copies by Consent of a full Court all the Copies hereafter mencioned, which were formerly Entred to John Helme, and Thomas Dewe, and nowe assigned ouer vnto him by Anne Helme, all the estate right, title and interest which she the said Anne Helme hath in

them. . . . " John Helme's last book entry was in 1616 (III, p. 588), but his wife seems to have carried on the business, for her name occurs in imprints. Dewe died in 1625 (*Printers and Booksellers 1557-1640*, p. 90). On the basis of the 1627 entry, one may postulate some sort of business dealings between Anne Helme and Dewe which would enable the latter to publish *The Troublesome Reign* in 1622.

If Dewe did not own copyright in *The Troublesome Reign* in 1622, Anne Helme did. If copyright in the old play established copyright in Shakespeare's *King John*, then the publishers of the First Folio would have to deal with either Mistress Helme or Dewe. I have arbitrarily assumed it was the latter. (See note 171.)

<sup>163</sup> Willoughby, *The Printing of the First Folio*, p. 40.

<sup>164</sup> Eccles, "Sir George Buc," pp. 481-83.

<sup>165</sup> Willoughby, *The Printing of the First Folio*, pp. 1-7.

<sup>166</sup> A. W. Pollard, *Shakespeare Folios and Quartos*, p. 117. Lee, in his Introduction to the Clarendon facsimile (Oxford, 1902, pp. xiv-xvi), was quite clear as to how existent copyrights influenced the choice of publishers for the First Folio. He also understood that the owners of the copyrights in individual plays (i.e., those owners who were not in the group who put out the folio) had to be satisfied before these plays could be included in the folio.

<sup>167</sup> The number of the copyrights already established is confirmed by the well-known entrance of November 8, 1623 (IV, p. 107):

Master Blounte Isaak Jaggard. Entred for their Copie vnder the hands of Master Doctor Worral and Master Cole warden Master William Shakspeers Comedyes Histories, and Tragedyes soe manie of the said Copies as are not formerly entred to other men.  
vizt. vijs

Comedyes.	The Tempest	
	The two gentlemen of Verona	
	Measure for Measure	
	The Comedy of Errors	
	As you like it	
	All's well that ends well	
	Twelſe night	
Histories.	The winters tale	
	<hr/>	
	The thirde [firſt] parte of Henry ye Sixt	
	Henry the Eight	
Tragedies.	<hr/>	
	Coriolanus	
	Timon of Athens	
	Julius Caesar	
	Mackbeth	
	Anthonie and Cleopatra	
	Cymbeline	

These sixteen plus *Othello* equal the number of plays still unpublished in 1621.

<sup>168</sup> A. W. Pollard held that the omissions of *The Case is Altered* from the Jonson 1616 folio and *The New Inn* from the "second volume" of 1640 "seem to offer at least possible instances of the exclusion of a work from a collected edition owing to the publisher of such edition failing to come to

terms with the holder of the copyright . . . .”—A. W. Pollard, *Shakespeare Folios and Quartos*, pp. 116–17.

<sup>169</sup> William Jaggard, who died in 1623, appointed Pavier one of the overseers in his will; *Printers and Booksellers 1557–1640*, p. 154.

<sup>170</sup> *Titus Andronicus* was entered February 6, 1594 (II, p. 644), by John Danter. The imprint of Q 1 (1594) reads, “Printed by Iohn Danter, and are to be sold by Edward White & Thomas Millington.” Q 2 was published in 1600, “Printed by I[ames] R[oberts] for Edward White”; Q 3 in 1611, “for Eedward [sic] White.” All three quartos give the same address, “the little North doore of Paules, at the signe of the Gun.” This was White’s address. On April 19, 1602 (III, p. 204), Millington assigned “*Titus and Andronicus*” to Pavier along with *II Henry VI* and *III Henry VI*—“*Saluo Jure cuiuscunque.*”

How can one account for White’s publishing the play after Millington had assigned it to Pavier? Pollard believes that there was some dispute as to ownership of copyright (*Shakespeare Folios and Quartos*, pp. 114–15). An analogous case may be examined. Burby and Burre entered *Every Man in His Humour*. The 1601 Q has “for Walter Burre”—Burby’s name is not in the imprint. “Burby died in 1607; two years later his widow transferred her share of the copyright to William Welby. Welby and Burre, therefore, were joint holders of the copyright when the revised text appeared in the 1616 Folio. In 1618 Welby assigned his share to Thomas Snodham, whose widow transferred it to William Stansby in 1626. In 1635 Stansby also secured the share of Walter Burre, in virtue of an assignment made by Burre and Lownes in 1621.”—Percy Simpson (ed.), *Ben Jonson’s Every Man in His Humour*, Oxford, 1919, p. x.

Assuming that White and Millington had procured the copyright of *Titus Andronicus* before or after Danter’s death, one may postulate that Millington, although owning a half-share, allowed White in 1600 to bring out an edition of *Titus Andronicus* on his own. In 1602, Millington assigned his share to Pavier. Pavier in 1611, as had Millington before him, allowed White to bring out Q 3 by himself. As a matter of fact, on the basis of the Millington assignment, one could assume that White never owned a share of the copyright, and that he purchased the right to publish *Titus* first from Millington and later from Pavier. Edward White died before January 12, 1613 (III, p. 511). His, or his son’s, widow assigned twenty of his copies to Alde in 1624 (IV, p. 120)—*Titus* was not among them. On the other hand, Mistress Pavier, after her husband’s death, did assign “*Tytus and Andronicus*” to Edward Brewster and Robert Birde in August, 1626 (IV, p. 165).

It would seem, therefore, that in 1621 there is clear evidence that Pavier had at least a half-share in the copyright of *Titus Andronicus*.

<sup>171</sup> Dewe’s right in *King John* and Smethwicke’s in *The Taming of the Shrew* were derived from the source plays *The Troublesome Reign* and *A Shrew*. Smethwicke, who had bought the copyright of *A Shrew* in 1607 from Ling (III, p. 365), printed *The Shrew* in quarto form in 1631. This should be proof that from the stationers’ viewpoint a new play based on an

old play was merely a revision of the source play, and that copyright in the older play extended to the new.

Those readers, incidentally, who have difficulty in accepting the conclusion that a bad quarto established copyright in a given play or that a source play did the same thing may well ponder the fact that the holders of copyright in the *Q Every Man in His Humour* automatically owned copyright in the revised version which Jonson prepared for the 1616 folio (see the preceding note).

From the viewpoint of copyright, whether *A Shrew* be Shakespeare's source or a corrupt version of that source is immaterial. And if *A Shrew* be some kind of perversion of Shakespeare's play, the owner of copyright in it would automatically own copyright in the good text.

<sup>172</sup> In the London edition of the *Mess-Katalog* of the Frankfort Book Fair, April, 1622–October, 1622, the First Folio is advertised "printed by Isaack Iaggard"; in the October, 1623–April, 1624, edition, it is advertised "printed for Edward Blount." Willoughby concludes, therefore, that Blount did not enter into the venture until after a third of the volume had been printed (Willoughby, *Printing of the First Folio*, p. 9). But on such evidence, one could conclude that Aspley and Smethwicke did not enter the venture until the colophon of the First Folio was printed.

<sup>173</sup> In 1621, the venturers of the folio may not have been aware that Dewe would claim the copyright of *King John*. And, of course, when the First Folio was in its planning stage, they did not know that they would have to deal with Walkley concerning *Othello*.

<sup>174</sup> Jaggard originally intended to finish *Romeo and Juliet* and begin *Troilus and Cressida* in the same gathering. Specimens of the canceled leaf (gg3) which ended the former play and began the latter have accidentally survived, but after printing three pages of *Troilus* (gg3v–gg4) Jaggard stopped work on it. See G. E. Dawson, "A Bibliographical Problem in the First Folio of Shakespeare," *Library*, 4th Series, XXII (1941–42), pp. 25–33. Jaggard then allowed sufficient space for the rest of *Troilus* and began printing *Julius Caesar*. Apparently Walley was still recalcitrant by the time the colophon at the end of *Cymbeline* was printed, for Jaggard used *Timon of Athens* to fill the space that had been reserved for *Troilus*. "The Catalogue" was probably the last of the preliminary leaves to be set. The omission in it of *Troilus* shows that the publishers of the folio had given up all hope of coming to terms with Walley. At the last minute a settlement was reached, however, and *Troilus* was thrust in between *Henry VIII* and *Coriolanus*. The careful Jaggard utilized gg4. See Willoughby, *The Printing of the First Folio*, pp. 46–50.

<sup>175</sup> Jaggard began to print *Richard II*, broke off after printing one quire, and then printed *A Winter's Tale*. Then, instead of finishing *Richard II*, he skipped that play, both parts of *Henry IV*, and began with *Henry V*. He estimated the amount of space that would be occupied by three plays between *King John* and *Henry V* in order that signatures and pagination might be continuous. After *Henry V*, he printed *I Henry VI*, *II Henry VI*, *III Henry VI*. Before completing the last named play, however, he returned

to *Richard II*, finished it, and printed *I* and *II Henry IV*. He then completed *III Henry VI* and proceeded with *Richard III*. This unusual procedure can only be explained satisfactorily by assuming that Law who owned the copyrights of *Richard II*, *Richard III*, and *I Henry IV* (upon which *II Henry IV* was dependent from the viewpoint of arrangement) was causing trouble concerning the inclusion of these plays in the folio. See Willoughby, *The Printing of the First Folio*, pp. 41-46.

<sup>176</sup> *Ibid.*, p. 40.

<sup>177</sup> *Lear, Merry Wives, II Henry VI, III Henry VI, Henry V, Richard III, Hamlet.*

<sup>178</sup> *Troilus and Cressida.*

<sup>179</sup> *King John, Taming of the Shrew.*

<sup>180</sup> *Richard III* (Law), *Troilus and Cressida* (Walley).

<sup>181</sup> Law may have been angry at not being included in the group that put out the First Folio. But why should Henry Walley have been so adamant as to the inclusion of *Troilus and Cressida*? The reader, by the way, may recall that Walley became Clerk of the Stationers' Company in 1630 (*Printers and Booksellers 1641-1667*, p. 188).

<sup>182</sup> *EPS*, p. 111.

## NOTES FOR APPENDIX A

<sup>1</sup> Malone Society Reprint (1927), pp. v-vii.

<sup>2</sup> Malone Society Reprint (1911), p. vi.

<sup>3</sup> The vagueness of this is complemented by that of the next two entries in the very large assignment:

His parte in any sorts of Ballads.

His Interest and title to any pictures and likewise to tables of all sorts which were his Copies.

<sup>4</sup> "Yorkshire Tragedy" is also in the November 8, 1630, assignment and not in that of August 4, 1626.

<sup>5</sup> *Printers and Booksellers 1641-1667*, pp. 3-4; and *Printers and Booksellers 1557-1640*, p. 81.

<sup>6</sup> *Ibid.*, pp. 169-70.

<sup>7</sup> *Printers and Booksellers 1641-1667*, p. 138.

<sup>8</sup> Malone Society Reprint (1928), pp. vii-viii. In *BEPD*, p. 220, Greg reiterates this opinion.

<sup>9</sup> Malone Society Reprint (1928), p. ix.

<sup>10</sup> *Wm. Sh.*, I, pp. 398-401. In "Shakespeare's Sources," in Harley Granville-Barker and G. B. Harrison (eds.), *A Companion to Shakespeare Studies*, New York and Cambridge University Press, 1934, p. 231, A. L. Attwater writes: "The closeness of *Julius Caesar* to its source [North's *Plutarch*] is the strongest argument against the theory that the play represents the work of half a dozen poets at different times."

<sup>11</sup> *Wm. Sh.*, I, p. 397.

<sup>12</sup> W. W. Greg, "The Two John Busby's," *Library*, 4th Series, XXIV (1943-44), pp. 85-86.

<sup>13</sup> *BEPD*, p. 270.

<sup>14</sup> *Shakespeare's First Folio*, Oxford, 1923, pp. 17-18. Chambers independently had the same idea: "I think the explanation [of the assignment of August 14, 1600] is that the print of 1600 [of *HV*] was treated as merely a reprint of the old play of *The Famous Victories of Henry V*, which was indeed to some extent Shakespeare's source, and of which Creede held the copyright."—*Eliz. Stage*, III, p. 191.

<sup>15</sup> Smethwicke who owned the copyright of *A Shrew* (Arber, III, p. 337) reprinted the First Folio text of *The Shrew* in a quarto, 1631.

<sup>16</sup> M. A. Shaaber, "The Meaning of the Imprint in Early Printed Books," *Library*, 4th Series, XXIV (1943-44), p. 130.

<sup>17</sup> *A List of English Tales and Romances Printed before 1740*, The Bibliographical Society, London, 1912, p. 38.

<sup>18</sup> W. J. Halliday (ed.), *Deloney's Gentle Craft, The First Part*, Oxford, 1928, pp. 7-8.

<sup>19</sup> A. F. Lange (ed.), "The Gentle Craft," *Palaestra*, XVIII (1903), pp. xxi-ii.

<sup>20</sup> I am less afraid to say this because Hazlitt also lists an edition "for E. Brewster. 1627." No one except Hazlitt has seen this edition, but it will

be remembered that on August 4, 1626 (IV, p. 164), Mistress Pavier assigned "the first part of the gentle craft" to Edward Brewster and Robert Birde.

<sup>21</sup> (a) On June 15, 1591 (II, p. 585) Jones entered Philip Stubbes' biography of his wife, *A christal glasse for christian women*. Jones published editions in 1591 and 1592 (STC 23381-82), and White published editions in 1606, 1610, 1612, and 1618 (STC 23383-86). (b) On November 28, 1586 (II, p. 460), Jones entered Francis Seager's *The schoole of vertue*, of which the first extant edition is of 1557 (STC 22135) and of which Jones published an edition in 1593 (STC 22137). (c) In 1562-63 (I, p. 208) Alexander Lacy entered "a boke intituled the xx orders of Callettes or Drabbys"; I do not know whether the book is extant. (d) In 1565-66 (I, p. 313) Richard Jones entered, under a different title, *A handefull of pleasant delites by C. Robinson and diuers others*. His first extant edition is of 1584 (STC 21105). (e) Jones published *The good huswives handmaide for the kitchin* in 1594 (Hazlitt, *Collections and Notes*, 1882, p. 140). (f) In 1584 Jones published John Partridge's *The treasure of commodious conceites and hidden secrets. The fourth tyme corrected* (STC 19426). He published another edition in 1591 (STC 19429). White published an edition in 1600 (STC 19430).—Note, by the way, this case of a book's being published by the new owner of the copyright before the notice of assignment appears in the Register; cf. the 1609 quarto of *Doctor Faustus*. (g) John Awdeley published in 1565 and 1575 editions of his *The fraternine of vacabondes. Also the xxv. orders of knaues* (STC 993-94). No later editions are extant.

<sup>22</sup> Malone Society Reprint (1935), pp. vii-viii.

<sup>23</sup> *Ibid.*, p. vi.



## NOTES FOR APPENDIX B

<sup>1</sup> M. A. Shaaber, *Some Forerunners of the Newspaper in England, 1476-1622*, University of Pennsylvania Press, 1929, pp. 3, 289-90, *passim*.

<sup>2</sup> Fred S. Siebert, "Regulation of the Press in the Seventeenth Century," *Journalism Quarterly*, XIII (1936), p. 383.

<sup>3</sup> See Shaaber, *op. cit.*, pp. 72, 83-85.

<sup>4</sup> *Printers and Booksellers 1557-1640*, p. 20.

<sup>5</sup> See Shaaber, *op. cit.*, pp. 133, 149, 163-65, 175, 179, 235, 275.

<sup>6</sup> Bruce Pattison, "Notes on Early Music Printing," *Library*, 4th Series, XIX (1938-39), pp. 411-14.

<sup>7</sup> *DNB*, XV, p. 387.

<sup>8</sup> Pattison, *op. cit.*, p. 416.

<sup>9</sup> C. B. Judge, *Elizabethan Book-Pirates*, Harvard University Press, 1934, pp. 117-33.

<sup>10</sup> *Ibid.*, pp. 127-28.

<sup>11</sup> *Shakespeare Folios and Quartos*, pp. 69-70.

<sup>12</sup> *Printers and Booksellers 1557-1640*, p. 245.

<sup>13</sup> *Records of the Court B*, p. 76.

<sup>14</sup> *Ibid.*, p. 92. *STC* 23456.

<sup>15</sup> Judge, *op. cit.*, p. 117 ff.

<sup>16</sup> *Records of the Court B*, p. lxix.

<sup>17</sup> *Ibid.*, p. 46.

<sup>18</sup> *Ibid.*, p. 79.

<sup>19</sup> *Ibid.*, p. 80.

<sup>20</sup> *Ibid.*, p. 91.

<sup>21</sup> *Ibid.*, p. lxxi.

<sup>22</sup> *Ibid.*, p. 88. The same fines and payments are recorded in the Register at II, p. 833.

<sup>23</sup> Greg has rectified this error and independently reached the same conclusions that I state in my text: "The English Schoolmaster": Dexter v. Burby, 1602," *Library*, 4th Series, XXIII (1942-43), pp. 90-93.

<sup>24</sup> *Printers and Booksellers 1557-1640*, p. 150.

<sup>25</sup> The disparity in the size of the fines may be explained by the five hundred copies which Dexter was required to give Burby.

<sup>26</sup> Perhaps I should add that one of the defendants in the celebrated Star Chamber case concerning the 1599 piracy of Sidney's *Arcadia* said that Burby had bought two copies (Judge, *op. cit.*, p. 104). When we consider that each copy sold for six shillings (*ibid.*, p. 100) and that Burby's name reappears no more in the long and tangled case, we need feel no great urge to defend Burby's reputation.

<sup>27</sup> H. R. Plomer, *Abstracts from the Wills of English Printers and Stationers, from 1492 to 1630*, Bibliographical Society, London, 1903, pp. 41-42.

<sup>28</sup> Shaaber, *op. cit.*, pp. 109, 175, 179, 311.

<sup>29</sup> *Shakespeare's Fight with the Pirates*, pp. 40-41.

<sup>30</sup> W. W. Greg, "The Two John Busby's," *Library*, 4th Series, XXIV (1943-44), p. 83.

<sup>31</sup> Shaaber, *op. cit.*, p. 21. This is *STC* 7592-93.

<sup>32</sup> See Shaaber, *ibid.*, pp. 288-89, *passim*; also De Winter (ed.), *The Staple of News*, Yale Studies in English, New York, 1905, XXVIII, pp. xxv-xlvi.

<sup>33</sup> The following infringements are from Siebert, *op. cit.*, pp. 383-84.

<sup>34</sup> This seems to have been published without Coke's consent; see *DNB*, XI, p. 243.

<sup>35</sup> H. R. Plomer, "The Printers of Shakespeare's Plays and Poems," *Library*, 2nd Series, VII (1906), pp. 155-57. Creede did not print any quartos of *HV* after the second.

<sup>36</sup> *Records of the Court B*, p. 57. W. A. Jackson thinks that Creede may have been the printer of a counterfeit edition of Wither's *Abuses Stript and Whipt*, supposedly printed by George Eld for Francis Burton in 1613 ("Counterfeit Printing in Jacobean Times," *Library*, 4th Series, XV [1934-35], pp. 365-67). But Jackson's case against Creede, built on the use of a single tailpiece block, is very weak. And Jackson himself points to a Stationers' Court record for March, 1615, which shows four other stationers' being fined for pirating this book.

<sup>37</sup> R. B. McKerrow (ed.), *The Works of Thomas Nashe*, London, 1910, II, pp. 189-91. Hoppe argues that the cause of the double presswork in *Q 1* of *R & J* was Danter's troubles in early 1597 for printing *Jesus Psalter* and other banned books: "An Approximate Printing Date for the First Quarto of *Romeo and Juliet*," *Library*, 4th Series, XVIII (1937-38), pp. 449-54.

<sup>38</sup> A. W. Pollard, *Shakespeare Folios and Quartos*, p. 69; and his *Shakespeare's Fight with the Pirates*, pp. 40, 48.

<sup>39</sup> W. W. Greg, *Two Elizabethan Stage Abridgements*, Oxford, 1923, p. 130.

<sup>40</sup> Judge, *op. cit.*, pp. 134-37.

<sup>41</sup> Plomer, "The Printers of Shakespeare's Plays and Poems," pp. 152-53.

<sup>42</sup> *Records of the Court B*, p. 21. For the anterior events, see Judge, *op. cit.*, pp. 86-88, 134-35.

<sup>43</sup> *Ibid.*, p. 88.

<sup>44</sup> *Ibid.*, p. 135.

<sup>45</sup> *Records of the Court B*, p. 46.

<sup>46</sup> *Ibid.*, p. 56. It was not Danter, apparently, but an apprentice who was imprisoned and later released (I, p. 580). The journey to Lambeth recorded in the same accounts indicates, perhaps, that the Bishop of London was the instigator of the raid on Danter's premises.

<sup>47</sup> Judge, *op. cit.*, pp. 127-28, 133.

<sup>48</sup> *Ibid.*, pp. 137-39, *passim*.

<sup>49</sup> *Records of the Court B*, p. 55.

<sup>50</sup> P.A.B. Sheavyn, *The Literary Profession in the Elizabethan Age*, University of Manchester Press, 1909, pp. 68-69.

<sup>51</sup> H. R. Hoppe, "The First Quarto of *Romeo and Juliet*: A Bibliographical and Textual Study," *Cornell University Abstracts of Theses*, 1942, p. 23.

<sup>52</sup> *Records of the Court B*, p. 78.

<sup>53</sup> *Works*, Huth Library, 1884, XXIII, pp. 42, 280.

<sup>54</sup> J. B. Leishman (ed.), *The Three Parnassus Plays (1598-1601)*, London, 1949, p. 248.

<sup>55</sup> Shaaber, *op. cit.*, p. 283.

<sup>56</sup> See *STC* 23762-817.

<sup>57</sup> *Records of the Court B*, p. 44.

<sup>58</sup> L. Kirschbaum, "Is *The Spanish Tragedy* a Leading Case?" *JEGP*, XXXVII (1938), pp. 501-12.

<sup>59</sup> *Records of the Court B*, p. 42.

<sup>60</sup> *Ibid.*, p. 42.

<sup>61</sup> *Ibid.*, p. 44.

<sup>62</sup> *Printers and Booksellers 1557-1640* interprets this to mean "when her house was visited by the plague" (p. 156). Perhaps my interpretation is entirely wrong.

<sup>63</sup> *Records of the Court B*, p. 54. For a dispute in 1592 concerning the copyright of the *English Faust Book* and a controversy in 1594 with an otherwise unknown Robert Reynolds, see *ibid.*, pp. 44, 47 respectively.

<sup>64</sup> These assignments by Jeffes long after he had, because of his sins, ceased to be an operating member of the guild, support my position that Mistress Danter was able to dispose of all her husband's copyrights after his death—including *Romeo and Juliet*.

<sup>65</sup> This was one of the books the copyright of which belonged to the Company and permission to publish which entailed a certain payment into the guild's poor box. Hence Jeffes had to pay sixpence to the pound (of the unbound sheets?) "to thuse of the poor" for printing the book (*Records of the Court B*, p. 45).

<sup>66</sup> *Printers and Booksellers 1557-1640*, p. 157.

<sup>67</sup> For a description of this play by a contemporary, see *Eliz. Stage*, I, p. 323.

<sup>68</sup> Arber, II, pp. 725-26.

<sup>69</sup> *Printers and Booksellers 1557-1640*, p. 169.

<sup>70</sup> *Ibid.*, p. 169.

<sup>71</sup> *Ibid.*, p. 176.

<sup>72</sup> J. W. Hebel, "Nicholas Ling and 'England's Helicon,'" *Library*, 4th Series, V (1924-25), pp. 158-60.

<sup>73</sup> *Records of the Court B*, p. 48.

<sup>74</sup> Entered by Busby and Ling on October 6, 1590 (II, p. 564). Editions were published for T. Gubbins and Busby in 1590 and 1592 (*STC* 16664-65).

<sup>75</sup> *Records of the Court B*, p. 91.

<sup>76</sup> *Ibid.*, pp. 85-86.

<sup>77</sup> *Printers and Booksellers 1557-1640*, p. 194.

<sup>78</sup> Shaaber, *op. cit.*, pp. 282, 284. See also pp. 122, 151, 163.

<sup>79</sup> *Records of the Court B*, p. 55, deals with the same offense.

<sup>80</sup> *Fair Em*, Malone Society Reprint (1927), p. vi.

<sup>81</sup> Judge, *op. cit.*, pp. 128-29, 134.

<sup>82</sup> *Records of the Court B*, p. 85.

<sup>83</sup> *Printers and Booksellers 1557-1640*, p. 212.

<sup>84</sup> Shaaber, *op. cit.*, pp. 283-84.

<sup>85</sup> Greg believes that Trundle had his name removed from the imprint of the second issue, leaving only the bookseller's, because the play was "hot stuff": "The Two Issues of Day's *Isle of Gulls*, 1606," *Library*, 4th Series, III (1922-23), pp. 307-9.

<sup>86</sup> Shaaber, *op. cit.*, pp. 160, 214, 284. For Trundle's publication of two ballads that dealt with a sensational murder in Whitechapel, see C. J. Sisson, *Lost Plays of Shakespeare's Age*, Cambridge University Press, 1936, pp. 96, 117, *passim*.

<sup>87</sup> G. E. Bentley, *The Jacobean and Caroline Stage*, Oxford, 1941, II, pp. 682-83.

<sup>88</sup> On the obscure contretemps which arose because Walkley started the printing of the resultant book, the so-called third volume of the 1640 Jonson folio, before he entered its contents, only to have two other stationers enter some of the items in it, see Frank Marcham, "Thomas Walkley and the Ben Jonson 'Works' of 1640," *Library*, 4th Series, XI (1930-31), pp. 225-29, and Greg's comment, *ibid.*, pp. 461-65.

<sup>89</sup> Leo Kirschbaum, "Walkley's Supposed Piracy of Wither's *Workes* in 1620," *Library*, 4th Series, XIX (1938), pp. 339-46.

<sup>90</sup> Siebert, *op. cit.*, p. 386.

<sup>91</sup> *Printers and Booksellers 1641-1667*, p. 103. On February 5, 1639, Hunscoot was admitted to the livery. The fee of twenty pounds was remitted "because he hath done the company good service in many businesses." (Siebert, *op. cit.*, p. 386). Not a pretty character, apparently! He was further rewarded by being made beadle in 1641 (*ibid.*, p. 386).

<sup>92</sup> *Ibid.*, p. 386.

<sup>93</sup> *Printers and Booksellers 1641-1667*, p. 187. Marcham (*loc. cit.*, p. 229) prints an undated petition from Walkley to Charles I's Secretary-of-State begging for his release (from prison?) and the restoration of army lists on which Walkley had expended thirty pounds (or the restoration of the right to print these lists?).

<sup>94</sup> W. W. Greg, "Some Notes on the Stationers' Registers," *Library*, 4th Series, VII (1926-27), p. 384.

<sup>95</sup> The printer was probably Islip, *BEPD*, p. 206.

<sup>96</sup> *Eliz. Stage*, IV, p. 402; and Arber, V, p. 176. Edward White did republish in an undated quarto the old *Robin Hood* which William Copland had first printed. The entry of May 14, 1594, may refer to this play; this may be the printed play which Arber saw.

<sup>97</sup> *Printers and Booksellers 1557-1640*, p. 288.

<sup>98</sup> *Records of the Court B*, p. xxxii; Arber, II, pp. 838, 841.

<sup>99</sup> *Records of the Court B*, p. 48; and Arber, II, p. 790.

<sup>100</sup> *Records of the Court B*, p. 48.

<sup>101</sup> For his numerous ephemerae, see the index to Shaaber's *Some Fore-runners*.

<sup>102</sup> On July 24, 1579 (II, p. 357), Bynneman had entered "ye message sent by ye queene: when Appletree shuld haue suffered . . . sub manibus comitum Leicester et Hunsdon." Bynneman also entered another pamphlet concerning Appletree the same day (*STC* 714).

<sup>102</sup> *Records of the Court B*, p. 49. This is the same fine as is recorded at Arber, II, p. 822.

<sup>104</sup> *Records of the Court B*, p. 12.

<sup>105</sup> *Ibid.*, p. 33.

<sup>106</sup> *Ibid.*, pp. 32-33.

<sup>107</sup> See *STC* 19646 ff.

<sup>108</sup> *Records of the Court B*, pp. 45-46.

<sup>109</sup> *Ibid.*, pp. 90-91; see also Arber, III, p. 131.

<sup>110</sup> *Records of the Court B*, p. 51.

<sup>111</sup> *Ibid.*, p. 57.

<sup>112</sup> *STC* 18366-67. These are two issues of the same edition, one "Printed by Iames Roberts, and are to be solde by Andrewe Wise . . . 1593," the other "Printed for Andrew Wise, and are to be sold at his shop . . . 1594." The stationers were sometimes careless in their use of "for" and "sold by." See M. A. Shaaber, "The Meaning of the Imprint in Early Printed Books," *Library*, 4th Series, XXIV (1943-44), pp. 133-34. The book had been entered on September 8, 1593 (II, p. 635), by Alice Charlewood, who married Roberts that same year.

<sup>113</sup> Note that although Wise was very heavily fined for publishing the sermon "without authority," all he was required to get was the Wardens' license.



**CORRECTIONS AND  
ADDITIONAL NOTES**





## CORRECTIONS AND ADDITIONAL NOTES

Page 4. *Total of bad quartos*: The number given in the text must be increased to twenty-four. In December, 1953, I ascertained that *Mucedorus* is maimed and deformed; an article on this text will appear in the January, 1955 *MLR*. (In it I discuss the unreliability of the ascription to the Chamberlain-King's men.) H. R. Hoppe has fully demonstrated that one of the extant stage manuscripts of Shakespeare's time is a memorial corruption, "*John of Bordeaux*: A Bad Quarto That Never Reached Print," in *Studies in Honor of A.H.R. Fairchild*, University of Missouri Studies, XXI (1946), pp. 121-32.

Page 18. *Copyright based on the bad quarto not establishing copyright in the play and in any text of the play*: In a recent article, "The Printing of Shakespeare's *Troilus and Cressida* in the First Folio," *Papers of the Bibliographical Society of America*, XLV (1951), pp. 273-82, Greg still maintains that, in the early seventeenth century, copyright based on one text of a play did not entail automatic copyright in a different text of that play. His argument rests on the fact that when Walley's refusal to come to terms prevented Jaggard from continuing to print *Troilus and Cressida* in the First Folio, Jaggard was using as copy Bonion and Walley's 1609 quarto of the drama but that when Jaggard began again to print the play he had a newly acquired manuscript with which to emend the quarto. Sir Walter interprets the shift in text as signifying that Walley owned only the text of his quarto and that Jaggard, who possibly owned some right in the play because Roberts had first entered it and Jaggard was Roberts' successor, could "snap his fingers in Walley's face" when he suddenly received the manuscript. I merely wish to state Greg's position. The present book itself is, or is not, a rebuttal of this position.

Greg has promised to treat in the third volume of *BEPD* another case which has to do with the general problem. On May 9, 1632, Andrew Crooke entered, under Herbert's license, William Alabaster's Latin play, *Roxana*, and issued it the same year. But another edition appeared the same year which was published by William Jones; in this the author claimed that the first edition was surreptitious.

Page 25 ff. *The profit motive*: As good an introduction as can be found to the stationers of 1620-40—their enterprise, their competitiveness, their refusal to let official licensing limit either their profits or liberties—is an article which, most unfortunately, I failed to read when assembling materials for this book. It is Laurence Hanson's "English Newsbooks, 1620-41," *Library*, 4th Series, XVIII (1938), pp. 356-84. I shall have occasion to refer to it frequently in these added notes.

The competitiveness of the London stationers is best illustrated, perhaps, by James I's *Basilicon Doron*. Most of the relevant documentary

material is available in two items by James Craigie, "The *Basilicon Doron* of King James I," *Library*, 5th Series, III (1948), pp. 22-27, and *The "Basilicon Doron" of King James VI*, Scottish Text Society, Edinburgh and London, 1950, pp. 19-26. But my interpretation of the data Craigie presents is different in many respects from his. Furthermore, he fails to supply, or even refer to, the all-important fact of the imprint of Allde's edition.

Elizabeth died on March 24, 1603. The London stationers immediately took notice of the new succession, as the entrances on folios 93 ff. of Register C show. Books by and about the new king promised quick and lucrative sales. At this time, George Bishop was Master of the Stationers' Company; Thomas Man, Senior Warden; and Simon Waterson, Junior Warden. The very first entrance under the new sovereign, on March 28, 1603 (Arber, III, p. 230), was that of *Basilicon Doron* to Bishop, Man, Waterson, Norton, Burby, and Kingston. In its first version the book had been printed in only seven copies by Robert Waldegrave, Edinburgh, 1599 (STC 14348). James expanded and revised the book for its second edition: same imprint, 1603 (STC 14349). But F. S. Ferguson does not believe that this edition was printed in Scotland; on bibliographical evidence he adduces that it was printed in London. Furthermore, one surmises from Craigie's account of Ferguson's analysis, this second edition was produced in London by the very group that entered it later on March 28, 1603, and put out four London editions that year "for John Norton." (This group we may for convenience call the Norton syndicate.) This second edition was already in press by September 22, 1602, for on that day Nicolson wrote Cecil concerning it. And in the next month John Chamberlain wrote Dudley Carleton in Paris concerning King James: "I heere that king is printing a little peece of worke christened with a Greeke name, in nature of his last will or remembrance to his sonne, . . . and because yt hath gon abroad subject to many constructions and much depraved by many copies he will now set yt out under his owne hand." King James sent a copy of the book to Prince Henry on April 7. Copies of it were already available in London by March 30, as we learn from both Manningham and Chamberlain. Since one cannot have a London reprint of a non-existent Edinburgh edition, it appears that there was a triangular agreement among King James, Waldegrave and the Norton syndicate that the revised *Basilicon Doron* was to be printed in London where it would be available as soon as the time was ripe for its appearance. As to the acknowledged London editions, the Venetian Secretary wrote home on April 24 that the book had been "sent to press here within an hour of the Queen's death."

The book was an immediate bestseller. Four editions for John Norton in 1603 are extant (STC 14350-53). Haste to supply a demand is also suggested by the fact that although the imprint of each of these four editions names only one printer, bibliographical evidence indicates that for each edition more than one printing shop was employed. (See Folger Shakespeare Library catalogue cards.) But the Norton syndicate members were not the only ones of their guild ready to seize the occasion. There is extant another 1603 London edition which reprints the supposed 1603

Edinburgh edition. It is *STC* 14354; its imprint reads, "Imprinted by E. Alde for E. W. and others of the company of the Stationers. 1603." Now this open and honest imprint tells us a great deal: it is not the imprint of a deliberate piracy. It tells us that the men who put out this edition thought they owned copyright by right of first publication and did not consider that they were infringing on the rights of any other London stationer or stationers. The imposition of fines on April 14 (Arber, II, p. 835) reveals the members of this second group, whom we may for convenience call the White syndicate: Edward White, Edward Alde, Thomas Chard, Nicholas Ling, Matthew Lownes, Henry Lownes, Richard Bankworth, Edward Weaver, John Browne, Clement Knight, Matthew Law, John Baily, Edward Blount, and James Shaw. Fourteen stationers are involved. After the name of the last are the words "2 partes," followed by a double fine. It is also recorded that White paid a double fine "for hym self and Edward Aldee." I suggest that there were fourteen shares in the White syndicate, that Shaw owned two, that White was the instigator of the enterprise, and that Alde was merely the printer. We know definitely that the White syndicate had its edition in the stalls within two or three weeks of the queen's death.

To their surprise, dismay, and probably anger, the White syndicate discovered that they had inadvertently pirated the property of the Norton syndicate. Not only was the copyright of this valuable trade item wrenched from their hands, but they also had to pay a fine to the Stationers' Company. The Norton syndicate had the upper hand. It probably had the good will of the new king. It certainly had the March 28 entrance in the Register to prove its clear claim to copyright. As soon as they saw the Alde edition, the Master, the Wardens, and the other members of the Norton syndicate took action. On April 13, according to unpublished Court Book C, the Stationers' Court decreed that Alde and his associates had printed 1500 copies of *Basilicon Doron* without authority in that the book had been properly entered to Norton and his associates. I quote Craigie: "For this offence Alde and his associates were condemned to deliver up to the Company all unsold copies of their edition still in their possession, to hand over to it the value of those copies which they had sold, to pay a fine to the Company of three shillings and fourpence each and to give an undertaking to refrain for the future from printing either the whole book or any part of it. But when they paid their fine they were to receive back their unsold copies and whatever sums of money they had paid over as having been received from their sales of this edition." Surely the reason for this rather peculiar decision was to establish once and for all that only 1500 copies had been printed. Note that although each member of the White syndicate was to pay a fine of three shillings, fourpence, there was no attempt to confiscate their copies or to deprive them of their already realized profits. The decision of April 13 was really in the nature of a compromise.

The White syndicate had some revenge, too. We remember that the Master and Wardens themselves were members of the Norton syndicate. Yet the same Court that fined the White syndicate a relatively small sum fined the Norton syndicate forty marks for overcharging, according to Company ordinances, on the price of *Basilicon Doron*. I doubt that the

officers of the Company accused themselves of sin. I suggest that the members of the White syndicate refused to be awed by their superiors, challenged *their* integrity, and won out.

The economic battle over *Basilicon Doron* was not over. The Norton syndicate members were uneasy about Alde. They procured a Star Chamber order sternly forbidding him to print the book again and threatening him with destruction of his type and press, confiscation of his goods, and imprisonment if he did. The sequel shows how fiercely the wish to make money burned in these stationers. Edward White and Alde defied both the Government and the officers of the Stationers' Company. Alde printed 1500 more copies of *Basilicon Doron* some time in May; White took 500 of these himself and quickly disposed of them, whether to fellow stationers or to the public is not clear. At a meeting of the Stationers' Court on May 30, Alde was threatened with enactment of the Star Chamber decree. On June 6, he begged that the sentence not be carried out, promised good behavior in the future, admitted that he "printed 1500 the second tyme," said that White had taken 500 copies of this second impression and "that [I quote Craigie] the remainder had gone to certain persons whom he had named in a note delivered to the wardens of the Company." But the Norton syndicate already knew about White's 500 copies. At the same Court of May 30, it was ordered (Arber, II, p. 836) that White pay a fine of six pounds, thirteen shillings, and fourpence "for that he had [500] of the bookes of basilicon Doron of the second ympression Disorderly printed by Edward Aldee and hath sold the same number so that they cannot be taken beinge forfayted by thordonnances." But, as was customary, his imprisonment was respited. Obviously, on this occasion the Norton syndicate was in no mood for leniency. Four weeks later, on June 27, the Company was still fining stationers for "dealinge with the basilicon doron Disorderly printed by Edward Aldee vpon the second ympression": Andrew Wise, four shillings, for 25 books; Matthew Law, five shillings, 31 books; Walter Burre, four shillings, 25 books; James Shaw, eight shillings, 50 books; John Deane, eight shillings, 50 books; and Thomas Pavier, twelve shillings, 75 books. I think these books were confiscated.

Certainly, the *Basilicon Doron* affair of 1603 graphically reveals the economic rivalry of stationers in Shakespeare's day.

Page 26. *Stationers before 1557*: An excellent and succinct account of the regulation of the book trade before the creation of the Stationers' Company appears in H. S. Bennett, *English Books and Readers 1475-1557*, Cambridge University Press, 1952, pp. 30-39. By 1534 native English (Bennett does not say "London") stationers had with the cooperation of the Government formed a tight economic body against any outside competition, especially from abroad. The Government and Church's fostering of such autonomy grew out of the fear of the printing, importation, and circulation of heretical books. It was the fear of Lutheran books that led to the first official restriction against the stationer's right to print whatever he wanted to. In the autumn of 1524 the Bishop of London ordered that no new book was to be printed without the authorization of the Church. A proclamation of 1538 declared that "nothing was to be printed until it

had been examined and licensed by the Privy Council or its agents." Thus, the evolution of official censorship in sixteenth-century England is once more proved to have been inextricable from religious and political purposes. The most interesting suggestion that Bennett makes is that certain monopolies—law books, books of religious instruction, service books—were given not so much for the economic aggrandisement of the receiver as for "a useful, continuous control over various kinds of books" by the Crown. This suggestion, for me, throws new light on the privileged books struggle at the end of the century. What modern scholars regard as mere piracy may have been regarded in the sixteenth century as treason.

Pages 31 ff. *Licensing*: Hanson's article, "English Newsbooks, 1620-41," pp. 375-78, shows how severe licensing of news items was in this period. No newsbooks at all were allowed for the six years from 1632 to 1638. In a newsbook for January 11, 1641, Butter wrote: "Wee had thought to have given over printing our Forraine avisoes, for that the Licenser (out of a partial affection) would not oftentimes let passe apparent truth, and in other things (oftentimes) so crosse and alter which made us almost weary of Printing."

Page 37 (see also, p. 48). *master Hartwell certifying it to be tollerated*: It is possible that "tolerate" had a special sense among Elizabethan licensers and stationers, one which, perhaps, put the responsibility for printing on the stationer's head rather than on the licenser's. Professor F. P. Wilson has kindly pointed out to me the two following passages in Philip Stubbes' *A motive to good workes* (1593): "I cannot a lyttle mervayle that our grave and reverend Bishops, and other inferiour magistrates and officers, to whom the oversight and charge of such things are committed, will either license (which I trust they do not, for I wyll hope better of them) or in anie sorte tolerate such railing libels and slanderous pamphlets as have beene of late published in print. . . ."

"I cannot but lament the corruption of our time for (alas) now adayes it is growen to be a hard matter to get a good booke licensed without staying, peradventure, a quarter of a yeare for it; yea, sometimes two or three yeares before he can have it allowed, and in the end happily rejected too; so that that which many a good man hath studyed sore for, and traveyled long in, perchance all the dayes of his life, shall be buryed in silence, and smothered up in forgetfulness, and never see the light; whylest in the meane tyme other bookes, full of all filthines, scurrilitie, baudry, dissolutenes, cosonage, conycatching and the lyke (which all call for vengeance from heaven) are either quickly licensed, or at least easily tolerate, without all denyall or contradiction whatsoever." Quoted in F. J. Furnivall (ed.), *Phillip Stubbes's Anatomy of the Abuses in England in Shakespere's Youth*, A. D. 1583, Part I, New Shakespere Society, Series VI, No. 4, London, 1877, pp. 68\*-69\*.

Page 37. *Printer's copy with the official authorization written upon it*: A part of the printer's copy for Sir John Harington's *An Apologie* has survived. It is holograph, bears printer's marks, and at the end has the

Archbishop of Canterbury's imprimatur: "This Apologye I have p[er]used and doe think it may well be printed by Mr. Richard ffeild or any other printer. At Lambeth this xxixth of August 1596. Ric. Bancroft."—Ruth Hughey, "The Harington Manuscript at Arundel Castle and Related Documents," *Library*, 4th Series, XV (1934-35), p. 404. In the Bodleian Library there is a fair copy of *The Temple* which bears on its title page the autograph signatures of the four official licensers and which was probably used as printer's copy for the first edition.—F. E. Hutchinson, "The First Edition of Herbert's *Temple*," *Oxford Bibliographical Society Proceedings and Papers*, V (1940), p. 189.

Page 78. *The entry of November 6, 1598, to William Wood*: See Sidney Thomas, "Richard Smith: 'Foreign to the Company,'" *Library*, 5th Series, III (1948-49), pp. 186-92.

Page 80. *Copyright trespassing*: The severity with which copyright infringements, even when inadvertent, were met is well revealed in a Stationers' Court decision of 1623 recorded by Hanson, *op. cit.*, pp. 368-69: "On 1 November [1622] Nathaniel Newbery entered in the Stationers' Register, and on the 4th published, *The Peace of France. Or the Edict, with the Articles of Peace, granted by the French King unto his subjects of the Reformed Religion*. The text was in French and English. On 5 November, having entered it two days previously, the combine published their newsbook which was printed for Downes and Archer. The first item in it was a translation of this same edict. Newbery thereupon complained to the Stationers' Company that his copyright had been infringed, and on 3 February 1623 Liber C records that the Court of the Company 'ordered that Mr. Butter, Mr. Bourne, Mr. Downes, Mr. Sheffard, Tho. Archer paie to Nathaniell Newbarie 8s. for printing his copy v.z. the King of France, his edict.'"

Page 81: *Beale's editions of Bacon's "Essays"*: That Beale's editions were not counterfeit but were printed for John Jaggard is suggested by Paul S. Dunkin, "The 1613 Editions of Bacon's *Essays*," *Library*, 5th Series, III (1949), pp. 122-24.

Pages 81-82: *False imprints*. See M. E. Kronenberg, "Forged Addresses in Low Country Books in the Period of the Reformation," *Library*, 5th Series, II (1947-48), pp. 81-94; Gladys Jenkins, "The Archpriest Controversy and the Printers, 1601-1603," *Library*, 5th Series, II (1947-48), pp. 180-186. Eleven English corantos bearing Dutch imprints of 1621 were really printed in London according to Hanson, *op. cit.*, pp. 357-63: "To sum up, I would suggest, from the typography, the layout, the form of imprint, and from the contents themselves, as well as their general similarity, that eleven of the corantos with Dutch imprints were printed in London, and that these may represent the news-sheets which we know, from other evidence, to have been published in London in the summer of 1621. For on 4 August John Chamberlain wrote to Sir Dudley Carleton at The Hague: 'There is come out a new proclamation against lavish and licentious

talking in matters of state either at home or abroad, which the common people know not how to understand . . . for they continue to take no notice of it, but print every week at least, corantos with all manner of news, and as strange stuff as any we have from Amsterdam.' And on 22 September, two days before the publication of the first surviving coranto with a London imprint, Joseph Meade told Sir Martin Stuteville: 'My Corrantoeer Archer was layd by the heales for making or adding to Corrantoes &c. as they say: But now there is another who hath got license to print them honestly translated out of Dutch.'"

Hanson continues, pp. 363-64: "Thomas Archer, therefore, is probably to be associated with the publication of some of these corantos with false imprints, a practice not uncommon in the early seventeenth century. In August 1621 he was actually convicted on a similar charge. For on the 13th of that month the Stationers' Court Book records: 'It is ordered that Mr. Aldee and Thomas Archer be committed to prison upon Mr. Sec. Calvert's command for printing A briefe Discription of the reasons that make the declaration of ban against the King of Bohemia . . . of noe value or worth and therefore not to be respected.' This book, although it has an ornament of Allde's on page 1, bears the imprint: 'Printed at the Hayf by Arnold Meuris Bookeseller, at the Signe of the Bible.' That other great publisher of news, Nathaniel Butter, was also guilty of issuing books with false imprints. In the Public Record Office there are two undated petitions assigned to the years 1623 and 1622, but which were probably presented in 1620. In the first William Stansby asks for pardon. On the order of the Council the Wardens of the Stationers' Company had nailed up his printing-house and broken down his presses because, at the instigation of Butter, he had printed 'A Demonstration of the Unlawful Succession of the Emperor.' In the second petition Butter himself asks for a speedy release, and acknowledges his fault in printing a book concerning the Emperor. I have no hesitation in identifying the book as *A Plaine demonstration of the unlawful succession of Ferdinand the second*. The imprint is: 'At the Hague. 1620.'"

Pages 90 ff. *Surreptitious publication*: Percy Simpson, "Literary Piracy in the Elizabethan Age," *Oxford Bibliographical Society Publications*, New Series, I (1947), pp. 1-23 is a rather inchoate mass of material which needs careful sifting and interpretation. I have borrowed nothing from it.

In "Richard Smith: 'Foreign to the Company,'" *Library*, 5th Series, III (1948-49), pp. 186-92, Sidney Thomas discusses a most interesting example of a surreptitious publication that got its publisher into trouble. On August 3, 1952 (Arber, II, p. 618), Charlewood entered under the hands of the Bishop of London and the Junior Warden a collection of sermons. The book, *The wonderfull combate betweene Christ and Satan*, was published the same year "Printed by Iohn Charlewood for Richard Smith." In an epistle "To the Christian Reader," Smith announced that he did not know who the author was. Despite his license, the publication got Smith into hot water. The author was Lancelot Andrewes. Folio 265 of Register A (Arber, I, p. 561) tells us what happened in late November. John Wolfe visited both the Archbishop and the Bishop of London about

the matter. Smith was summoned to Lambeth. The Master and Wardens confiscated his edition. Thomas writes: "The hue and cry over the book had probably resulted, not from any matter in the sermons themselves, but simply from their having been published without Andrewes's knowledge or permission." The case is interesting if only because it tends to explode the notion that an official license necessarily protected the publisher of a surreptitious publication. Always the Elizabethan stationer could expect what I have called extralegal intervention. Certainly Smith, with his official license, had not the dimmest notion he was doing wrong. Some available evidence concerning the book's copyright should be added to Thomas' discussion. Roberts was successor to Charlewood, and W. Jaggard to Roberts. Jaggard's widow seems to have assumed that the copyright was still in force and belonged to her. She printed an edition for Isaac Jaggard and M. Sparke in 1627 (*STC* 630) and assigned the copyright to Thomas and Richard Cotes in 1627 (Arber, IV, p. 182).

Thomas Hobbes was the victim of a troublesome surreptitious publication. On November 28, 1654 (Eyre, I, p. 461), Francis Eglesfield entered a treatise "Of libertie and necessitie . . . in answer to a treatise by the Bishop of Londonderry on the same subject. By Tho: Hobbs." Eglesfield published it the same year (H. 2252 in Donald Wing, *Short-Title Catalogue 1641-1700*, Columbia University Press, 1948). But the author had not given the MS to the stationer. In 1645 Hobbes and Bishop Bramhall had discussed free will in the presence of the Marquis of Newcastle. Bramhall later wrote down his views and sent them to the Marquis to be answered in writing by Hobbes. At Newcastle's request Hobbes gave him a written reply early in 1646, desiring that it be kept private. But a young Englishman acquired a copy and in 1654 gave it, as we have seen, to the press and prefaced it with a tasteless epistle. Bramhall was very indignant, and the innocent Hobbes was thrown into a long drawn out public battle of books. The story is well told in G. C. Robertson, *Hobbes*, Philadelphia and Edinburgh, 1886, pp. 163-67.

Pages 90 ff. *Contemporary attitudes toward surreptitious publication*: Much light is thrown on these attitudes by the circumstances surrounding the publication of *Sapientia Clamitans* in 1638 (*STC* 17918). This appears upon the original title page: "Sapientia Clamitans, Wisdome crying out to Sinners to returne from their evill wayes: contained in three pious and learned Treatises. . . . Heretofore communicated to some friends in written copies: but now published for the generall good. By William Milbourne Priest. . . . London, Printed by I. Haviland, for R. Milbourne at the Unicorne neere Fleet-bridge. 1638." There are two later issues of this edition (*STC* 17919-20) in which cancel title pages appear: William Milbourne's name is omitted, the imprint is "M. P. for John Stafford," and the dates are 1639 and 1640.

William Milbourne was in actuality the author of none of the three treatises. One was Donne's *A Sermon of Valediction at my going into Germany* of 1619; the other two were sermons by Thomas Jackson, formerly president of Corpus Christi, Oxford, and soon to be Dean of Peterborough. There are still extant three seventeenth-century MSS of Donne's piece,



agreeing with the pulpit text in *Sapientia Clamitans* but differing from the revised version in *XXVI Sermons* of 1661 (Evelyn Simpson, *A Study of the Prose Works of John Donne*, second edition, Oxford, 1948, p. 280). Jackson took notice of the unauthorized publication in his *Treatise of the Consecration of the Son of God*, published in the same year, 1638; he refers to what "I have elsewhere written . . . lately published by another without my consent or knowledge."

In "William Milbourne, Donne, and Thomas Jackson," *RES*, XXIV (1948), pp. 321-23, R. C. Bald helps to clear up part of the mystery by citing a letter from William Milbourne to his rector, John Cosin, then Archdeacon of Durham and Master of Peterhouse, Cambridge. It is dated April 20, 1638: "I hope my brother of London hath bene mindfull to send you some of the bookes of that copie which I made bold with your worship to read before it went to the presse, intituled by mee *Sapientia Clamitans*. The two first treatises in it (as I heare) are Dr. Jackson's, which I allwayes suspected by the stile; as you may remember I sayd unto your worship. And the other (some say) is a sermon of Dr. Donne's. I am mightilie vexed at my brother, because it is so printed upon the title page as that men being unacquainted with the matter take mee as the authour, and not as the publisher onelie. I gave one of them to my Lord of Durham, signifying the truth, that I was onelie the publisher. His Lordship (I heard) read it, but liked not the opinions in it."—George Ormsby (ed.), *The Correspondence of John Cosin*, Part I, Publications of the Surtees Society, III (1869), pp. 222-23. Bald concludes: "It seems highly probable that soon after it had been brought to his notice Jackson attempted to have *Sapientia Clamitans* suppressed. At any rate, it is significant that Robert Milbourne took prompt steps to dispose of the remainder of the impression. Copies of the book are known with a cancel title-page in which the title is altered, William Milbourne's name is omitted, and the imprint changed to 'Printed by M. P. for Iohn Stafford,' so as to remove all obvious traces of the original printer and publishers. The brothers Milbourne, it is clear, soon learnt that it was unwise to traffic unauthorized, though with the best of intentions, in the writings of such eminent divines."

It seems to me that Bald here has little support for his inferences. There is no evidence that Jackson or Robert Milbourne took any significant steps. William Milbourne's letter to Cosin surely explains best why his name disappears from the title page; he himself obviously wanted it off. The new printer's initials in the 1639 and 1640 imprints merely indicate that he had printed the cancel title pages. That Robert sold the remainder of his impression to Stafford should occasion no surprise: the two had a similar deal the same year. On November 29, 1637 (Arber, IV, p. 400) Robert Milbourne and John Stafford entered Dr. John Preston's sermon, *Mount Ebal*. On April 26, 1638, Milbourne assigned his half to Stafford (Arber, IV, p. 417). The book came out the same year with the same imprint as appears on the cancel title pages of *Sapientia Clamitans*—M. P. f. J. Stafford, 1638 (STC 20238).

What is really significant in the whole affair is the implicit assumption by William Milbourne and Cosin that to publish the work of a living author without his consent or the work of a dead author without his family's

consent is in no way worthy of rebuke. On the contrary, they seem to think it a good idea. Neither suggests that it might be wise to find out whether the two sermons are indeed by Jackson and, if they are, to get his approval for the printing.

Page 104. *Reluctance to publish*: For the view that the court poets (as distinct from the professional poets) were truly desirous not to have their work in print, see J. W. Saunders, "The Stigma of Print. A Note on the Social Bases of Tudor Poetry," *Essays in Criticism*, I (1951), pp. 139-64. This rich and provocative paper contains a few references to surreptitious publications not covered in the present book. It offers a parody that deserves to be better known, Gabriel Harvey's imaginary title page: "A neue Pamflett containinge a fewe delicate poetically deuises of Mr. G. H., extemporally written by him in Essex, at the earnest request of a certain gentleman a worshipfull frende of his, and made as it were under the gentlemans owne person, immediately uppon ye reporte of ye deathe of M. Georg Gascoigne Esquier, and since not perusid by the autor. Published by a familiar frende of his, that copyed them oute praesently after they were first compiled with ye same frends praeface of dutifull commendation, and certayne other gallant appurtenances worth the reading."

Pages 123-25. "*Shorthand*" sermons. Henry Smith's evidence parallels Egerton's. In 1590, the former's *Wedding Garment* was surreptitiously printed. It had been entered by William Wright on May 18 of that year (Arber, II, p. 547) under the hands of an official licenser and the Senior Warden, and two editions with Wright's name in the imprint shortly followed (STC 22713-14). In "To the Reader" of the apparently emended 1591 edition (STC 22715, no publisher's name), Smith wrote, "To controll those false copies of this Sermon, which were printed with out my knowledge, patched as it seemeth out of some borrowed notes, and to stoppe the printing of it againe without my corrections, as it was intended, because they had got it licensed before, although vtterlye vnwilling for some respects to have it published, which made me withstand their importunity so long, yet seeing more inconuenience than I thought of, I suffered that which I could not hinder. And now hoping that it is Gods will to profit some by it, as Iaakob parted from Benjamin, so that which must be, let be, and the Lord give thee a blessing with it."—Quoted in H. T. Price (ed.), *A Fruitfull Sermon . . . By Henrie Smith*, Halle, 1922, p. xxv. (The student should be warned that in her interpretation of the above passage in "Pirates in the Pews," *Historical Magazine of the Protestant Episcopal Church*, XVI [1947], pp. 260-66, Marjorie Fryckberg has inextricably and unwarrantably joined fact and inference.)

William Cupper in prefatory remarks to his *Certain Sermons concerning Gods late visitation* (1592), writes of "the greedie couetousnesse and iniurious boldnesse of certaine men, whose sences are so quicke to hunt after gaine"—who take notes on sermons and then publish them. "So that between the Printer and the noter, we have in stead of sounde and profitable treatises, diuerse mangled and vnperfect pieces."—Quoted in Sidney Thomas, "A Note on the Reporting of Elizabethan Sermons," *Library*, 5th Series, III (1948-49), pp. 120-21.

E. H. Butler, *The Story of British Shorthand*, London, 1951, pp. 31-34, supplies further information. I extract the following title page: "A Fruitfull sermon preached in Christs-Church the 13. of Julie. Anno 1589. By Anthony Tyrrell, sometime a Seminarie Priest . . . Taken by Charactery." (This is *STC* 24474, *J. Windet, sold by A. Kitson*, entered September 30, 1589 [Arber, II, p. 530].) Butler also notes the following entrance for September 10, 1604: "Master Burby. Entred for his Copie vnder thandes of Master Doctor Barlowe and the wardens A booke called certen godlie and learned sermons preached by that worthie servant of Christe Master Edward Phillips. As they were deliuered by him in Sainct Saviours in Southwarke and were taken by the pen of Henry Yeluerton of Grayes Inne gent" (Arber, III, p. 271). (This was published *R. Field f. C. Burbie*, 1605 [*STC* 19853] and was assigned by Burby's wife to Welby on October 16, 1609 [Arber, III, p. 420].)

Pages 139-40. *Daniel's "The Vision of the Twelve Goddesses"*: I have been able to examine in photostats the two 1604 editions of Daniel's masque, the British Museum copy of Allde's edition (C 21.c.69) and the Huntington Library copy of Waterson's edition. Allde's text for the speeches is the same as Waterson's, except that he omits two lines of poetry and has some immaterial variant readings. The order of some of the speeches is different. The greatest variation is in the stage directions. It is clear that Allde had a good transcript. The addition in Waterson's edition is not a part of the masque proper. It is a long epistle to the Countess of Bedford in which Daniel states his allegorical intentions, describes the robes, et cetera.

Daniel's special position may have enabled him to handle Allde as he wished. The poet was very much in favor of the king and queen and the court in 1604; on February 4 he obtained a patent for the Children of the Queen's Revels and also the right to license their plays. —R. E. Brettell, "Samuel Daniel and the Children of the Queen's Revels, 1604-5," *RES*, III (1927), pp. 162-68.

There is also another possibility, that Allde having exhausted his edition was more or less unconcerned about Waterson's republication.

Pages 143-44. *Thomas Wright's "The passions of the minde"*: Much information about the author, a Catholic priest, and this particular work, the only one of his publications which was not issued from a secret press, will be found in Theodore A. Stroud, "Ben Jonson and Father Thomas Wright," *ELH*, XIV (1947), pp. 274-82. Wright finished work on it in September, 1598, and immediately brought it to the Bishop of London to be licensed, but the latter refused to return it. Although Stroud says nothing about the matter, the fact that Simmes apparently had no trouble in getting it passed by Master Barlowe, a regular censor, indicates that the Bishop of London's opposition was not to the work but to the author.

Pages 144-45. *Religio Medici*: Perhaps Browne's feelings concerning the 1642 editions had more than the gentleman's traditional pique at publication in them. In "The First Edition of *Religio Medici*," *Harvard Library Bulletin*, II (1948), p. 22, Elizabeth Cook writes, "The 1642 text would

appear to be not an 'imperfect' version of the authorized edition, but a separate draft which is shorter, not so exactly phrased, and less cautious of trespassing beyond orthodoxy. In his acknowledged text Browne did not protest that no man could 'retch' his faith one jot beyond the creeds of the English Church, and would not confess that he was still attracted to some lingering heresies. He wrote in the 1643 preface that his 'intention was not publick,' and in the book itself he apologized for his doubts and eccentricities with the plea that he never communicated them even among his friends. Evidently the author's earlier version of *Religio Medici* is preserved in the unauthorized editions."

Pages 161; 360, n.18: *Author's warning in "The Captives"*: Unfortunately for my hypothesis, Arthur Brown's recent edition in *The Malone Society Reprints* (1953) shows that not Heywood but the prompter supplied this warning. Nevertheless, the evidence in my footnote still seems to me to indicate that the Elizabethan playwright himself would sometimes write a warning.

Pages 168-71. *The copy behind Q 1 of "Titus Andronicus"*: In "The First Quarto of *Titus Andronicus*," *English Institute Essays* (1947), Columbia University Press, 1948, pp. 137-68, H. T. Price—mainly on the basis of metrical felicity—concludes that Q 1 was printed from "a manuscript written by Shakespeare himself." J. C. Maxwell, in his edition of the play, *New Arden Shakespeare*, London, 1953, p. xvi, makes a similar statement: "A number of features of the Q 1 text . . . make it fairly certain that the printer's copy consisted of the author's manuscript ('foul papers'), not always finally tidied up for the stage. . . ." However, Greg himself is no longer sure that the three and a half lines are evidential of revision in "Alteration in Act I of *Titus Andronicus*," *MLR*, XLVIII (1953), pp. 439-40; they can be understood as consistent with the rest of the scene. Hence, the strongest bit of evidence for foul papers begins to lose its potency. Furthermore, in his review of Maxwell's edition, *MLR*, XLIX (1954), p. 361, Sir Walter is curious as to how a Shakespeare MS happened to come into Danter's hands: "It is a little surprising that the play should have been released in 1594, as it appears to have been, for the text of the quarto is plainly authoritative. It is possible that, if Pembroke's men possessed the foul papers as well as the prompt-book, they sold the one to Danter at the same time as they sold the other to Henslowe."

Pages 218-20. *Copyright in "Hamlet" as dependent on Q 1*: In "Hamlet: The Problem of Copyright," *Notes and Queries*, CXC VII (1952), pp. 47-48, K. B. Danks, although he believes Ling owned copyright in the play because of an unrecorded assignment from Roberts before publication of Q 1, asserts, "It is certain that both Q 1 and Q 2 stand on common ground in regard to copyright."

Page 223. *The so-called "issues" of Q of "Troilus and Cressida"*: I have given the usual explanation, but apparently it is not correct. The changes occurred during initial printing and not after. The so-called

different issues are really variant states of one issue. "The alteration in the title and the consequent printing of the address to the reader were decided on and manufactured before any copies of the book could be issued." —Philip Williams, "The 'Second Issue' of Shakespeare's *Troilus and Cressida*, 1609," *Studies in Bibliography of the Bibliographical Society of the University of Virginia*, II (1949-50), pp. 25-33.

Page 229. *A Midsummer Night's Dream*: The imprint of the first edition reads, "Imprinted at London, for Thomas Fisher, and are to be soulede at his shoppe at the Signe of the White Hart, in Fleetestreete. 1600." BEPD, p. 169: "The printer appears from the ornaments used to have been probably Richard Bradock."

Pages 253. Q 2 of "*Othello*": For Hawkins' use of the First Folio text, see Charlton Hinman, "The 'Copy' of the Second Quarto of *Othello*," in *Joseph Quincy Adams Memorial Studies*, The Folger Shakespeare Library, 1948, pp. 373-89.

Page 281. *Stationers' index to "Short-Title Catalogue"*: The desired index has appeared. It is Paul G. Morrison, *Index of Printers, Publishers and Booksellers in A Short-Title Catalogue of Books 1475-1640*, Bibliographical Society of the University of Virginia, 1950.

Page 281. *Greg's "A Bibliography of the English Printed Drama to the Restoration"*: The second volume appeared in 1951; I cite it as BEPD, II.

Pages 282-83. *Archer*: Much information about Archer and his role in the turbulent beginnings of English journalism is to be found in Hanson's "English Newsbooks, 1620-1641." In 1621 he apparently printed corantos with fictitious Dutch imprints (the pamphlet discussed in the last paragraph of the trade biography was one of these) and was imprisoned—possibly until May of the next year (pp. 363-65: full citation is given in my Additional Note for pp. 81-82). In September, 1622, he and Bourne were probably in trouble with the authorities for printing, without the licenser's knowledge, aspersions on the morality of the Protestant soldiers under Count Mansfield (p. 367). On February 3, 1623, he and others were fined by the Stationers' Court for having inadvertently printed something belonging to Newberry (p. 368: full citation is given in my Additional Note for p. 80). The partnership of Archer, Downes, Sheffard, Butter, and Bourne in the so-called "Weekly Newes" probably only ran from September, 1622, to the autumn of 1624. The permutations in alliance among these five are complex, and any rival combination was likely to use the same title for its newsbook (pp. 367-75). There was a depression in newsbooks because of falling sales in 1628-30. "There are no newsbooks of Archer's for 1629. In December, 1630 he was in receipt of alms from the Stationers' Company" (p. 375).

Page 285. *Edward III*: In "A Reconsideration of *Edward III*," *Shakespeare Survey*, VI (1953), pp. 39-48, Kenneth Muir gives the evidence for Shakespeare's supposed hand in the play.

Pages 291-292. *Bushell*: Morrison's *Index* has enabled me to find four of the seven books I could not trace: *STC* 20053, *Inimicus amicus*, V. S. for T. Bushel, 1601—a translation of Plutarch's *De capienda ex inimicis utilitate*; *STC* 5862, *The hellish and horrible counsell used by the Jesuites in answere of P. Cotton*, for T. B., sold by T. Wright, 1610; *STC* 21027, Samuel Rid, *The art of jugling*, for T. B., solde by S. Rand, 1612; and *STC* 17706, James Maxwell, *The speedy passage to heaven*, for T. Bushell, 1612.

Middleton(?) commends his publisher, Bushell, in the prefatory matter of *The Ant and the Nightingale*: "I never wished this book better fortune than to fall into the hands of . . . an honest-minded bookseller; and if honesty could be sold by the bushel like oysters, I had rather have one Bushel of honesty than three of money." —A. H. Bullen (ed.), *The Works of Thomas Middleton*, Boston, 1886, VIII, p. 53. On the other hand, G. R. Price, "The Early Editions of *The Ant and the Nightingale*," *Papers of the Bibliographical Society of America*, XLIII (1949), pp. 179-90, is not convincing in his assumption that Bushell was responsible for the omission of material in the first edition "and that Middleton not only had reason for dissatisfaction with him, but probably expressed it."

Pages 292-94. *Butter*: Hanson's article, "English Newsbooks, 1620-1641," so often cited in these Additional Notes, is in itself almost a trade biography of Butter for this later period. Appearing in almost every sentence or paragraph, he emerges as a colorful, courageous, and enterprising individual, a businessman through and through, and also a man of principle. For a true portrait of Butter, Hanson's paper must be read in its entirety. I cite in summary form some of his findings. In 1611, Butter (p. 380) "had been deprived of his share in the English stock of the Stationers' Company because of his too close acquaintance with the Continent. For he had persuaded George Waters at Dort to print for him an edition of the Prymer 'against the good and lawful ordonances and constitutions of the Company' [Liber A. f. 82]." In 1620 he was imprisoned for printing a book against the Holy Roman Emperor; it was obviously not licensed, for it bore a false foreign imprint (p. 364: full citation is supplied in my Additional Note for pp. 81-82). On February 3, 1623 (instead of 1622, as Siebert gives it), he and three others were fined for inadvertently infringing Newberry's copyright (pp. 368-69: full citation is supplied in my Additional Note for p. 80). In November, 1624 (Siebert says October), Butter was fined by the Stationers' Company for printing a coranto contrary to order (p. 371). He was fined again late in December for unfitting speeches to Mr. Barret (p. 371). "By the autumn of 1632 the weekly news-book had reached a maturity of form, and its publishers, we may presume, a certain prosperity, when an Order in Council forbade the printing of all gazettes and pamphlets of news from foreign parts, specifically naming Butter and Bourne as the booksellers 'under whose names the said gazettes have been usually published' . . . The common opinion was that the Spanish agent had protested against the reporting of the disasters of the House of Austria, and that his influence had prevailed with a government still at peace with Spain and not at all prepared to champion the Protestant cause in Europe. There was no anticipation that the ban on the publication

of weekly news would last as long as six years. Butter had an immediate interview with the Secretary of State and hoped ere long to resume publication. In September 1633 Bourne and he made a renewed endeavour to obtain government sanction for the revival of their privilege. They met with no success, and until December 1638 the only continued narrative of foreign affairs was furnished in the pages of the *Swedish Intelligencer*, published at half-yearly intervals. . . . It was not until December 1638 that Butter and Bourne regained their right to publish weekly news, and then the privilege was confirmed exclusively to them on condition that they paid £10 annually towards the upkeep of St. Paul's" (pp. 375-77).

Hanson has quotations from Butter showing his extreme Protestant partiality in European affairs in 1625-26, and adds, "It is not surprising after this to find Butter before the Court of High Commission for publishing theological works of an ultra-Protestant tendency" (p. 383).

Page 309. *The lawiers logike*: Shaaber informs me that he thinks the *STC* first edition (11343, W. How, 1588) is a ghost. How was the printer of 11344 and 11345: for T. Gubbin and T. Newman.

Pages 312-14. *Walkley*: Walkley may have been in trouble in 1627. In that year he "issued a series of six newsbooks describing the unfortunate expedition of the Duke of Buckingham to the island of Ré. Perhaps the failure of this venture caused a tightening of the censorship, for on 14 September a newsletter to Joseph Meade from London predicts that 'Currantes will be scarce hereafter; for there hath a check bin given the Printers &c.'" Hanson, *op. cit.*, p. 374.

Pages 314-18. *Edward White Senior*: See above the Additional Note for pp. 25 ff., *The profit motive*.

Pages 314; 382, n. 96. *Robin Hood and Little John*: In *BEPD*, II, p. 966, Greg shows conclusively that this was a separate play from the old *Robin Hood* and that it was extant in a printed form in the seventeenth century.

Page 333, n. 94 (also pp. 313; 362, n. 60; 382, n. 88). *Walkley and Jonson's "Works"*: For further information on the trade quarrel of Walkley vs. Benson and Crooke, see Herford and Simpson, *Ben Jonson*, IX (1950), pp. 95-101, where the documentary evidence is printed; Greg's valuable corrections and comments in his review of the volume, *RES*, II (1951), pp. 277-78; and Greg. (ed.) *Jonson's "Masque of Gypsies"*, The British Academy, London, 1952, p. 4. Incidentally, Walkley said he paid Digby forty pounds for the Jonson manuscripts.

Page 334, n. 103. *Unrecorded assignments*: Item *c* is not reliable as evidence. Roberts apparently entered the book for Smith. The latter entered none of the copies he owned; he was not a member of the Stationers' Company. See Sidney Thomas, "Richard Smith: 'Foreign to the Company,'" *Library*, 5th Series, III (1948-49), pp. 186-92.

Page 345, n. 43 (see also pp. 106-07). *Olor Iscanus*: F. E. Hutchinson, *Henry Vaughan, A Life and Interpretation*, Oxford, 1947, p. 77, maintains that Powell was the "Friend" of the title page, that he overcame Vaughan's reluctance to publish, that "No one but Vaughan can have given him access to his manuscripts, and probably there was some discussion between Vaughan and his editor as to what should be included in the volume of 1651." E. L. Marilla, "'The Publisher to the Reader' of *Olor Iscanus*," *RES*, XXIV (1948), pp. 36-41, also argues that the poet was privy to the publication. Marilla assumes that not Moseley but Powell wrote the preface.



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